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ABSTRACT

The text of the Senate Select Committee on Indian Affairs' hearing on the proposed reorganization of the Bureau of Indian Affairs (BIA) notes that reorganization would consolidate BIA's 12 area offices into 5 regional service centers, create 2 special program offices and 3 field offices, and reduce 12 area education offices to 5 regional centers. Statements of BIA officials defend their reorganization plan. Statements from Senators indicate they felt BIA plans were not clearly presented, might have been formulated primarily to reduce the BIA budget by $16 million rather than to make operations more efficient, and did not thoroughly weigh possible adverse effects. A prepared set of questions and answers on effects of reorganization on Indian education, submitted by Senator William S. Cohen, is included. A statement from David Gusky, legislative director of the National Federation of Federal Employees, indicated adamant opposition to the reorganization. A statement from Elmer Savilla, executive director of the National Tribal Chairmen's Association, urges the Committee to insist that the Department of the Interior stop implementation of the reorganization and commence drafting a plan which would be in full consultation and cooperation with the tribes. Letters and statements from other tribal groups also indicate opposition. (MH)

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REALINEMENT OF THE BUREAU OF INDIAN AFFAIRS

HEARING

BEFORE THE

SELECT COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE
NINETY-SEVENTH CONGRESS
SECOND SESSION
ON
THE REALINEMENT OF THE BUREAU OF INDIAN AFFAIRS

JUNE 11, 1982
WASHINGTON, D.C.

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REALINEMENT OF THE BUREAU OF INDIAN AFFAIRS

JUNE 11, 1982

U.S. SENATE,
SELECT COMMITTEE ON INDIAN AFFAIRS,
Washington, D.C.

The committee met, pursuant to notice, at 9:35 a.m., in room 6226, Dirksen Senate Office Building, Senator William S. Cohen (chairman of the committee) presiding.

Present: Senators Cohen, Andrews, Gorton, and Melcher.

Staff present: Timothy Woodcock, staff director; and Peter Taylor, general counsel.

Senator COHEN. The hearing will come to order.

Today's hearing is going to focus on the proposed reorganization of the Bureau of Indian Affairs.

The structure of the BIA has been a source of concern for many years. The American Indian Policy Review Commission, in partial fulfillment of its congressional mandate, examined the BIA and made recommendations for changes.

During the tenure of Forrest Girard, as Assistant Secretary for Indian Affairs, a study of the organization of the BIA was conducted and recommendations for a reorganization were made.

Now, under the direction of the present Assistant Secretary, Ken Smith, a substantial reorganization of the BIA has been proposed and is on the verge of being implemented.

At present, a request from the Department of the Interior for reprograming is pending in the Interior Appropriations Subcommittees of the House and the Senate. There appears to be complete consensus on the fundamental position that BIA indeed is in need of improvement so far as its reorganization.

I do believe that any member of this committee proposes reorganization per se. Nevertheless, substantial disagreement can arise over the manner in which the Bureau should be restructured.

In its budget justification, the BIA stated that its budget would be reduced by $16 million in fiscal year 1983. The savings would be made through "most cost-effective methods of program management and administration." The budget justification also promised that Congress would be provided with a "detailed plan as an appendix to these justification at a later date." The Bureau is ready now to present its plan.

Under its description of the reorganization, the BIA plans to consolidate its 12 area offices into five regional service centers. The reorganization would also create two special program offices and would have three field offices. In addition, the 12 area education offices would be reduced to five regional centers. There would be two special program offices.

The eastern area office, which services the tribes of the east coast would be eliminated. According to the reorganization plan, those tribes would report directly to Washington, D.C. for technical assistance and to the southern center in Anadarko, Okla., for administrative purposes.

Today's hearing is going to represent the first opportunity for Congress to examine this proposal. The hearing will inquire into the following questions.

Is the plan cost effective? Does it facilitate the delivery of BIA services? How does it compare with previous reorganization proposals? What reasoning is behind the particular reorganization recommendation?

Let me say, ladies and gentlemen, at the outset, that I am aware that a resolution disapproving the reorganization proposal by the BIA has been signed and circulated by a number of members of this committee.

The chairman of the committee believes that the purpose of this hearing is to gather information that would allow us to make a proper recommendation to the committees that have the jurisdiction over the matter, particularly the Subcommittee on Appropriations and Interior.

Until such time as we have had an opportunity to examine the BIA proposal, the Chair and the members of the majority, in my judgment, would not be inclined to support any resolution of disapproval until we know what the facts are.

So I welcome the representatives of the BIA to this hearing.

I do not see any other colleagues here, so we will have the first witness.

Let us begin by hearing from John Fritz, Deputy Assistant Secretary, Operations, Department of the Interior.

He is accompanied by Roy Sampsel, Deputy Assistant Secretary, Policy, Department of the Interior.

Gentlemen, you may proceed.

STATEMENT OF JOHN FRITZ, DEPUTY ASSISTANT SECRETARY FOR INDIAN AFFAIRS (OPERATIONS), U.S. DEPARTMENT OF THE INTERIOR; ACCOMPANIED BY ROY SAMPSEL, DEPUTY ASSISTANT SECRETARY FOR INDIAN AFFAIRS (POLICY); RICHARD M. BALSIGER, EXECUTIVE MANAGEMENT OFFICER; AND JIM MARTIN, ASSISTANT DIRECTOR, EDUCATION, BUREAU OF INDIAN AFFAIRS, U.S. DEPARTMENT OF THE INTERIOR

Mr. FRITZ. Thank you, Mr. Chairman.

We are pleased to have this opportunity to discuss with you the proposed reorganization of the Bureau of Indian Affairs.

I am John Fritz, Deputy Assistant Secretary for Indian Affairs, Operations, U.S. Department of the Interior. To my right is a person I am sure this committee is familiar with, in the personage of Mr. Roy Sampsel, the Deputy Assistant Secretary for Indian Affairs, Policy.

On my immediate left is Richard Balsiger, who is the Executive Management Officer for the Bureau of Indian Affairs. He was just appointed effective June 1, 1982.

On my far right is Dr. Jim Martin from the Bureau of Indian Affairs, Office of Indian Education Programs.

Assistant Secretary Smith, who is the head of Indian Affairs for the Department of the Interior desired to be with you this morning. However, he had to proceed to Albuquerque, N. Mex., in order to meet with Governor King and all of the tribal leaders of that State.

He is doing what he deems imperative and that is to establish a new, different, and better working relationship between the States and the tribes.

A prepared statement was sent to the committee yesterday. With the committee's permission, I would like to highlight that statement.

Senator COHEN. Without objection, so ordered.

Mr. FRITZ. I want to make it clear that the reorganization that has been proposed is not intended to be a quick fix or a cure-all for all the management problems of the Bureau of Indian Affairs.

The present structure of the Bureau of Indian Affairs has been static for over 30 years. Times have changed. Indian country has changed. The Bureau has changed and tribal government has changed.

Somehow the Bureau's organization has remained stagnant.

What we have put together, I believe, is a farsighted plan which will best serve tribal government and the Bureau for some time into the future.

However, that is not to say that this plan is an end all because it is purely an evolutionary step toward enhancing the Bureau's delivery of services to and on behalf of American Indian tribes and individuals.

Let me talk about the reorganization in a brief and concise fashion. Why should we look at a reorganization now?

As you stated, Mr. Chairman, in your opening statement, many things have changed. As I have just reiterated, many changes have occurred.

Among them has been the enactment of Public Law 93-638, the Indian Self-Determination Act. It is a major factor because we are currently contracting over 25 percent of all Bureau of Indian Affairs programs.

We look for this trend toward tribal rather than Bureau delivery of services to continue and to increase. In addition, we have Public Law 95-561, the Education Amendments of 1978 which continue to emphasize Indian involvement through local Indian school boards and contracts rather than the continuing hiring of Bureau teachers.

This administration has made a commitment to the American people to cut back on payrolls and the day-to-day involvement and even interference in the American citizens' personal lives.

So, with those rationales in mind, our current objectives are to change the Bureau's area or middle management structure so as to make for better service delivery through the contracting grant mechanism basically through the tribal government as opposed to Federal employees on the Bureau's staff.

In addition, we seek to strengthen tribal and Alaskan native organizational capacities for contract and grant operations.

We also seek to improve the management of all of our educational programs in the field by allowing more decisions to be made at the local or regional levels. In other words, close to the people affected as opposed to 1,500 to 4,000 miles away in Washington, D.C.

And, we seek to improve the technical assistance and services which are provided on behalf of the tribes at the agency level.

Our final objective is to cut the Bureau's midmanagement staff at the field office rather than taking the staff cut at the existing structure which would leave a large number of offices which are virtually ineffective.

We eliminated offices and strengthened those that are left.

Some of these decisions have been very difficult to make. One of the reasons the Bureau has not been reorganized in the past is because few people have been willing to take the risk necessary to make the decisions needed to improve the delivery of services through the Bureau.

Studies of the management structure of the Bureau have been ongoing since 1974.

Finally, late in 1981 Assistant Secretary Smith assembled a small task force to look at all those recommendations and past studies. When they came up with their verbal report, we felt that the Bureau had been studied enough. The Assistant Secretary thought it was decision time and that it was necessary to make the decisions implementing a change within the Bureau of Indian Affairs.

As a result of all of this, we proposed an option plan back in February 1982. We sent that plan to the field and had our directors consult with the tribes and tribal leaders for more than 2 months during this spring.

Those consultations, plus almost 300 letters that we received from Members of Congress, tribes, and other interested parties convinced us that our initial plan submitted in February 1982 needed some modifications.

And, as a result, we changed the locations and some of the staffing patterns of those proposed offices. Some of the locations we chose for regional service centers and special program offices came down to management decisions.

They were tough decisions, but we had to make them with the best information that was available.

The moneys that will be saved and the moneys that we proposed to have utilized for the reorganization came out of our overhead costs. In other words, out of the management structure of the Bureau, as opposed to coming out of any funds which would be used for tribal operations or programs.

Mr. Chairman, we are ready to move forward with the plan. We will do our best to lessen any harmful effects of the reorganization upon our own employees through careful planning, good timing, and the use of good management techniques.

We have been working closely with the collective bargaining units which hold exclusive recognition with the Bureau in order to ensure compliance with their contracts. We are making every effort to ensure that there is no disruption of services to the tribes.

I believe that we have done this reorganization in the best fashion that could be worked out. We have made the appropriate decisions and we can live with them.

We ask you to bear with us and to work with us in the implementation of the plan. I believe that ultimately all of the Indian country will benefit in the long run.

That completes my prepared statement. We will be pleased to answer any and all questions that you might have.

Thank you.

Senator COHEN. Thank you.

Do any other panel members wish to make a statement?

Mr. Sampsel?

Mr. SAMPSEL. No, thank you, Mr. Chairman.

Senator COHEN. First, Mr. Fritz, let me say this.

Sitting here as chairman of the committee, I have yet to hear many witnesses come out in praise of the job the BIA has done over the years.

In fact, group after group has come before this committee criticizing the operations of BIA as being ineffective, inefficient, and generally insensitive to Indian needs and problems.

So, I find it somewhat ironic that now the administration has come up with a proposal to reorganize its efforts, that immediately, we are willing to condemn those reorganization proposals without at least giving you the opportunity to make a presentation to the committee.

Frankly, I think any effort to propose change is going to be met with resistance. Some of it is justified and others perhaps not.

What I envision, at least for this morning, is to take the opportunity to examine exactly how you came about making these recommendations, what the basis for it is, and the rationale as to the cost effectiveness.

Then, frankly, we would like you to dispel the question in my own mind as to whether or not you simply are having a budget reduction. Then you set out from that reduction in search of a rationale for reorganization rather than starting the other way around.

This would be to look at the inefficiencies and say you have to do something to streamline it and make it more effective. Then these are the cost projections.

I think it probably came about through the other impetus.

Let me direct some specific questions to you.

Your statement indicates that the $16 million savings for fiscal year 1983 is going to be achieved principally through the reduction of some 372 full-time equivalent staff years; is that right?

Mr. FRITZ. Yes.

Senator COHEN. It is my understanding that you now have some 226 vacant positions at the central and area levels; is that correct?

Mr. FRITZ. We do have a number of vacancies. I have been running the Bureau at a reduced staffing level the latter part of this spring.

Senator COHEN. If you propose achieving these reductions by eliminating 372 positions and you already have 226 vacant positions, then, where are the savings?

Mr. SAMPSEL. The savings occur, Mr. Chairman, because the Bureau is not operating at its ceiling level now.

In other words, had the positions been totally filled during this period of time, not anticipating the realinement, we would then be going through a major RIF which would have affected 372 individuals.

As it is now, with the vacancies that are there as a result of attrition, the RIF action will be less. There will still be some RIF action and people will, in fact, be unemployed as a result of this realinement. But the total impact on the organization and on the individuals will be much less because of this.

Senator Cohen. What I am getting at is this.

The projection is for a reduction of the 372 full-time equivalent staff years and you already have 226 vacant positions. You are talking about a reduction from the current level of about 150.

Mr. Sampsel. Yes, but what you are talking about is the difference between those positions that are actually filled with warm bodies and the fact that they still count on your budget ceiling.

What you have now is a reduced level of operation in anticipation of the realinement. If we end up with a situation in which we are operating under full strength, then part of the rationale was that it did not seem fair to be filling certain positions that we knew would be subject to the RIF in those areas of the realinement if, in fact, we were going to be there in 6 months.

Senator Cohen. What sort of analysis do you have about the moving expenses involved in closing down some of these offices as compared to leaving them in place?

Mr. Fritz. We have definitive cost figures for the moves. I will let Mr. Balsiger give those figures.

But before I turn this over to Mr. Balsiger, let me respond on that last question, Senator.

One of the things that we have to examine is the best management use of our individuals in the positions that they can or should be occupying as opposed to just having gaps and holes within our organization. From that standpoint, we feel that this plan has allowed us to competently and consciously make a decision as to where to place our employees in the best fashion possible.

So, we are looking toward utilizing those employees in a competent fashion as opposed to just leaving some positions unfilled and taking out 150 people across the organization.

Mr. Balsiger. Mr. Chairman, we have gone through the various processes and relationships through the reductions in cost. In addition to the reductions in cost that we would have at the employee level, there would also be space reductions which will reduce cost and other administrative savings.

The Bureau has calculated, based on the costs of paying out lump-sum payments for those people who desire to retire and the moving costs and costs of that nature, and the Bureau has calculated those by areas.

The Aberdeen area has savings in 1983 which would be $602,000. It would cost us about $400,000 in payout in 1982 and 1983 to put the reorganization into effect.

Albuquerque has $150,000. The large savings take place in areas where we have completely closed out offices, such as Muskogee, $1.5 million.

I am talking about the costs in the central office which amounts to $1 million in their own reorganization.

We estimate that the total cost of the reorganization as far as new space, employee transfers, and travel is concerned to be approximately $7,045,000. The savings would be $16 million.

Senator COHEN. That is the savings?

Mr. BALSIGER. Yes.

Senator COHEN. Would you submit to the committee an analysis?

Mr. BALSIGER. Yes, we will submit an analysis of our cost savings at each location.

Senator COHEN. Thank you. Without objection, so ordered.

[Subsequent to the hearing the following information was received for the record:]

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
Washington, D.C., June 18, 1982.

Hon. WILLIAM S. COHEN,
Chairman, Senate Select Committee on Indian Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed are responses to questions submitted in connection with the Oversight Hearings on the Realignment of the Bureau of Indian Affairs, Friday, June 11, 1982.

Thank you for the opportunity of presenting our views.

Sincerely,

JOHN W. FRITZ,
Deputy Assistant Secretary — Indian Affairs (Operations).

Bureau of Indian Affairs

Program	*Reduction*
School operations—Education	1,000,000
Tribal government services	1,485,000
Social services	408,000
Law enforcement	1,083,000
Housing	505,000
Self-determination services	748,000
Indian services	4,229,000
Business enterprise development	513,000
Employment development	826,000
Road maintenance	274,000
Economic development and employment programs	1,613,000
Forestry and agriculture—Natural resources development	746,000
Indian rights protection	650,000
Real estate and financial trust services	2,325,000
Trust responsibilities	2,975,000
Management and administration	4,505,000
Facilities management	932,000
General management and facilities operations	5,437,000
Operation of Indian programs	16,000,000

PLANNING FIGURES FOR FTE AND DOLLARS ASSOCIATED WITH BIA OVERHEAD COST REDUCTION

Proposed Organization and Location	Employment as of 4/30/82	Current Combined Area Offices FTE	FTE/$ after General 5% Reduction in FY 83 Budget 1/	FTE/$ proposed after Overhead reduction 1/	FTE/$ Savings to be achieved as part of Overhead reduction 1/
Southern Regional Service Center Anadarko, Oklahoma (Anadarko Area, Muskogee Area, and Eastern Area)	182	194	182 ($6.8M)	140 ($5.2M)	42 ($1.6M)
North Central Regional Service Center Aberdeen, South Dakota (Aberdeen Area Office, Billings Area Office, and Minneapolis Area Office)	342	364	345 ($12.8M)	285 ($10.6M)	60 ($2.2M)
Southwest Regional Service Center Albuquerque, New Mexico (Albuquerque Area Office)	149	162	154 ($5.7M)	137 ($5.1M)	17 ($0.6M)
Northwest Regional Service Center Portland, Oregon (Part of Sacramento Area Office and Portland Area Office)	204	210	196 ($7.3M)	188 ($7.0M)	8 ($0.3M)
Western Regional Service Center Phoenix, Arizona (Phoenix Area Office and part of Sacramento Area Office)	205	258	242 ($9.0M)	230 ($8.5M)	12 ($0.4M)
Navajo Nation Special Program Office Window Rock, Arizona	311	280	237 ($8.3M)	209 ($7.0M)	28 ($1.[illegible])
Juneau Special Program Office Juneau, Alaska	117	156	148 ($5.5M)	131 ($4.9M)	17 ($0.6M)
Education Regional Offices (Staff distribution not determined)	177	222	211 ($7.9M)	125 ($4.7M)	86 ($3.2M)
Regional Subtotals 2/	1,687	1,813	1,716 ($63.9M)	1,445 ($53.0M)	276 ($10.1M)

Proposed Organization and Location	Employment as of 4/30/82	Current Office FTE	FTE/$ after General 5% Reduction in FY 83 Budget 1/	FTE/$ proposed after Overhead reduction 1/	FTE/$ Savings to be achieved as part of Overhead reduction 1/
Central Office including Education and other dollar savings not associated with personnel	791	891	847 ($31.5M)	746 ($25.6M)	102 ($5.9M)
	2,478				
Bureau Total Central/Area overhead reduction 2/		2,704	2,563 ($95.4M)	2,191 ($79.4M)	372 ($16.0M)

1/ Dollar levels reflect a national planning factor of $25,000 per FTE, plus other projected savings in non-personnel object classes. Actual levels ultimately approved for each Region may vary depending on regional differences and priorities established within each Region. Regional dollar levels cited above are rough indicators for comparison purposes, and are not FY 1983 regional budgets.

2/ Totals may not add precisely because of rounding.

Senator COHEN. I also would like to have a breakdown of the existing vacancies and the basis of the program or administrative responsibility in the current positions.

I would like to know how you intend to use those positions for your new reorganization plan.

Mr. BALSIGER. Certainly, we will do that.

Senator COHEN. Thank you. Without objection, so ordered.

[Subsequent to the hearing the following information was received for the record:]

INITIAL PLANNING FIGURE FOR PERSONNEL

BIA OVERHEAD COST REDUCTION AND REORGANIZATION

By Proposed Regional Service Center and Special Program Office

Location	Current Area Allocations	Proposed Regional Allocations
Northeast Minneapolis Eastern (Northern Portion)	68	57
Southern (Oklahoma City) Anadarko Muskogee Eastern (Southern Portion)	179	130
North Central Aberdeen Billings	311	238
Southwest (Albuquerque)	162	136
Northwest (Portland) Sacramento (Northern Portion)	210	188
Western (Phoenix) Sacramento (Southern Portion)	255	231
Navajo	250	209
Juneau	156	131
Sub-Total	1,591	1,320
Education Area Level Locations Not Determined	222	125
TOTAL	1,813	1,445

* The figures are for initial planning and consultation purposes, subject to action on the FY 1983 Budget, further FTE refinement or controls by the Deputy Assistant Secretary (Operations) and, of course, the plans ultimately approved for the regional offices.

Senator COHEN. You anticipate adding new positions at the central and area offices?

I would like to have a description of those positions and the anticipated grade levels as well.

Mr. BALSIGER. Certainly. Without objection, so ordered.

[Subsequent to the hearing the following information was received for the record:]

Relationship of Office Closures to Personnel Reductions

Question. Your statement indicates that the $16 million savings for fiscal year 1983 will be achieved principally through the reduction of 372 Full Time Equivalent (FTE) staff years. It is my understanding that there are presently some 226 vacant positions at the Central and Area levels. In light of the large number of vacancies already in place, the need for closure or down-grading of Area Offices to achieve fiscal year 1983 savings is not apparent. In fact it would appear such closures with attendant moving expenses might result in greater costs or less savings than would result if the offices were left in place. Do you have any comparative figures on this?

Answer. The current "understaffing" at the Central and Area levels is a direct result of the Bureau's attempt to achieve the major part of the fiscal year 1983 Full Time Equivalent (FTE) staff reduction through attrition. The Bureau made a conscious decision to risk delays in providing services with less staff during the transition period to Regional Service Centers in order to reduce the potential RIF impact on its employees. Clearly, however, a prolonged period of operation with reduced staff at twelve Area Offices would be unsatisfactory and would deny the benefits that we expect to effect through the proposed consolidation. Strictly from the standpoint of consolidation expense, a large part of the estimated cost of the consolidation would be saved by continuing with twelve understaffed Area Offices. However, the annual non-personnel savings would be lost, and we believe, as Federal managers, that a substantial degradation of services would occur from continued operations at the existing Area Offices under these conditions. It is not possible to assess the cost of reduced services due to the limited Area Office capability for carrying out Indian programs. Experience tells us that there are indeed costs for services not provided in an efficient, timely and responsive manner, but there are no generally accepted standards for producing comparative figures specifically relating to such impacts. It must also be noted in reading the tables we are submitting the Committee that the costs are one time costs, while the savings are annualized.

Question. Can you supply this Committee with a breakdown of the existing vacancies on the basis of program or administrative responsibility of the now vacant position and the grade-level of the position compared to a similar breakdown for the positions your reorganization proposal envisions being reduced? To the extent you anticipate adding new positions at the Central and Area Office, I would also like a description of the positions and the anticipated grade levels.

Answer. Attached is the current staffing of each Area Office compared with the regional fiscal year 1983 FTE assigned (See preceding charts). Detailed position descriptions and grade levels will be available after final organization structures have been completed and approved in accordance with Departmental procedures, or in approximately 30 days according to our current planning schedule.

PUBLIC LAW 93–638 CONTRACTING FOR SERVICES

Question. Your proposal places a heavy reliance on the notion that Indian tribes are going to assume greater management of BIA programs under the provisions of Public Law 93–638. I understand that many tribes now contracting under this Act are going bankrupt because of a hiatus in payment of indirect costs. Would you please briefly explain this problem?

Answer. Some tribes have experienced difficulties because of shortfalls in Contract Support Funds, which are used to reimburse tribes for the additional costs which they incur as a result of entering into Public Law 93–638 contracts. Also, some tribes have not been fully reimbursed for similar costs incurred on other Federal agency contracts. However, the Bureau generally has been able to assist tribes to adjust to this situation by or reallocating funds to cover shortfall problems. We know of no tribal bankruptcy situation, and tribes generally have been able to operate contract programs effectively.

Question. In light of these difficulties, why do you think tribes will move more heavily into contracting?

Answer. Tribal contracting under Public Law 93–638 generally has increased steadily since the inception of the program. For example, in fiscal year 1981, which ended September 30, 1981, approximately 380 tribes and tribal organizations entered into 1,300 separate contracts to operate Bureau programs. This is a wholesome increase over fiscal year 1976–77 performance when some tribes and tribal organizations entered into approximately 800 separate program contracts. During this same period, the dollar volume of contracting increased from approximately $100 million to around $215 million. Also, tribes are now contracting for programs across the broad range of contractible Bureau programs; for example, approximately 50 percent of eligible Indian Services programs—Social Services, Housing Law Enforcement, Tribal Government services—are now contracted. Tribes also contract for a significant part of Bureau programs in Education and Trust Responsibilities. Also, tribes within all Bureau geographic areas are participating in Public Law 93–638 contracting. Tribal contracting in fiscal year 1982, at generally reduced budget levels, is down somewhat from fiscal year 1981 totals, however, it is still quite substantial at approximately $200 million. We believe this trend indicates that tribal contracting will continue at increasing levels.

Question. The January BIA Budget Justification indicates that increased contracting activity under Public Law 93–638 has resulted in increased workloads in financial management and contract management. Does your reorganization proposal anticipate an increase in administrative positions as tribes move more heavily into these contracts?

Answer. Our reorganization proposal reflects an overall personnel reduction as indicated earlier. It also reflects a modest realignment of available Bureau field positions so as to place more emphasis upon Bureau contract administration oversight and related responsibilities with respect to tribal administration of contracts and grants.

Question. What reductions in BIA personnel do you anticipate if tribes do increase their contract activity?

Answer. We would expect some continued displacement of Bureau program staff as tribes increase their contracting for Bureau programs.

Question. What provision has been made in the fiscal year 1983 budget for increased costs to tribes in the contracting process? Is there an increase in contract support funding and is it adequate to keep pace with inflation?

Answer. There is an increase in Contract Support funding of approximately $3 million and we estimate that it will meet tribal contractor needs. Funding is determined by tribal needs and available funds at the time the grant or contract is awarded rather than being pegged to inflation rates.

LEAD REGION CONCEPT

Question. In your initial reorganization plans it was proposed to establish several "lead regions" for certain programs such as timber, fisheries, irrigation, and range management. This appears to create problems for tribes and may cause new problems in BIA management as well. Have any studies been made as to the frequency that tribes will have to consult with the lead region? If not, shouldn't this be done in order to establish costs of travel and communication to both BIA and the tribes? What problems do you see with respect to lead regions having to communicate with Washington offices such as the Assistant Secretary's office, the Solicitor's Office or Justice Department?

Answer. The concept of "lead regions" for certain Bureau activities is to address the technical assistance and operating support needs which are beyond the specific needs of any specific region. It is planned that each region will staff to meet its on-going needs, but that on a Bureau-wide basis specific function units, co-located with the Regional Center in regions having the dominant need, would provide technical assistance and operating support for planning, development, and evaluation on the particular activity. All "lead region units" would manage their functions in accord with a uniform annual management work plan administratively supervised by the Regional Director with technical supervision being provided by the Central Office. The Deputy Assistant Secretary—Indian Affairs (Operations) will approve these work plans and modifications to them based upon tribal or Bureau-wide priorities. These plans will include funding, staffing and travel ceiling allocations and periodic reviews of program performance.

In establishing this new approach we are attempting to satisfy a need for levels of technical expertise and operation that field offices and tribal governments have had difficulty in obtaining as well as to focus attention upon needs for future planning and development.

Specific studies have not been conducted to establish the frequency that tribes will consult with these "lead region offices." However, in the studies conducted by the Bureau's Office of Training and Technical Assistance (now being phased out) technical assistance needs assessments and priorities have indicated a strong need for levels of expertise not available in the Bureau due to the increasing sophistication of tribal governmental requirements, particularly in the resources management fields. The staffing and travel costs for "lead region units" will be borne from on-going funding of the Office of Trust Responsibilities and it is not planned that costs will exceed those now being expended for Central Office operations. We also do not anticipate that additional costs to tribes will be significant.

With regard to communication of "lead region units" with various Washington programs, we see this as an on-going relationship that is manageable under the annual work plan system. The work of the units would be planned, prioritized and approved in advance. Most of the work would be projects or assignments in the West where the need exists. To the extent Washington contacts are needed, they will be provided for in the plan and either performed by Washington staff or "lead region units" staff as needed. We also plan to make maximum use of ADP telecommunications in order to facilitate joint reviews. We, therefore, do not anticipate a large requirement of "lead region units" for Washington contacts.

COST TO TRIBES AND STRENGTHENING OF TRIBAL GOVERNMENTS

Question. Your statement indicates that a major thrust of the new BIA effort will be to strengthen the capacities of tribal and Alaska Native organizations to engage in contracting of BIA programs. However, most of the discussion of this point talks of enhancing the capacity of the BIA to manage contracts and grants. What provisions are made in the FY 83 Budget Justification for funding directly to the tribes to enhance their capabilities to assume management functions?

Answer. The fiscal year 1983 budget justification contains a request for a significant increase in Self-Determination grants of $2.3 million, and a request for $2.8 million in Training and Technical Assistance funds, approximately the same level as the fiscal year 1982 level. These funds are available to tribes to support enhancement of management capabilities in accord with individual tribal priorities. Also, the fiscal year 1983 budget justification contains a $5 million initiative to provide core management capabilities to eligible small tribes, to help them improve their administrative and financial management capabilities.

Question. Have you done any cost studies to determine what the increased financial cost will be on the tribes for management assumption and also for increased costs of travel to and from the Regional Offices?

Answer. We believe any increased load on tribes for management assumption can be handled by funding tribes through available Self-Determination grants and Contract Support Funds. This would include tribal travel directly related to contract performance.

USE OF FISCAL YEAR 1982 FUNDS FOR REPROGRAMMING PURPOSES

Question. I am concerned about the impact of existing programs from the use of fiscal year 1982 funds for reprogramming purposes. I am told, for example, that the Sacramento Area Office has been told to find $500,000 in their existing budget to be used to close down that office. How can $500,000 be taken from the budget of that Area without impairing the delivery of programs to those tribes in this fiscal year?

Answer. Distribution of costs for reorganization is a management judgment based upon several factors. The Bureau's actions in anticipation of the reorganization has resulted in savings in object class funds due to delays in filling vacancies, reduced travel, equipment, supplies and materials procurements. These savings along with the estimated personnel impacts and moving costs associated with each office were considered in the development of regional target cost distributions. Cost targets for Sacramento have not been specifically estimated.

Question. I assume other Area Offices have been asked to find similar funds for similar purposes. Please supply us with any requests that have been made to the Area Offices for finding fiscal year 1982 monies for reprogramming purposes. I would like to have a breakdown of such requests by Area and also the replies as to where you expect such savings to come from based on Area and program affected?

Answer. The information on a regional level requested is estimated below. As reorganization planning steps proceed, we will be able to refine the information, and provide greater detail. However, we expect that when final estimates can be prepared after Departmental approval of the next steps, the totals will be substantially the same as the information here provided.

PROJECTED COSTS

[In thousands of dollars]

Region	1982	1983
Northeast	150	0
Southern	1,400	370
North Central	1,550	350
Southwest	150	0
Northwest	250	0
Western	400	200
Navajo	480	145
Juneau	600	0
General office	600	400
Total	5,580	1,465

INDEPENDENT EVALUATION OF REORGANIZATION PLANS

Question. Has the Office of Policy, Budget and Administration reviewed the reorganization plans as they developed. It is my understanding there has been a great deal of trouble making the money figures and personnel figures come out right. I would like to be supplied with any critiques by the Office of Policy, Budget and Administration of the current proposal.

Answer. The Office of Policy, Budget and Administration has been almost continuously involved in oversight of the Bureau's reorganization plans. Comments and critiques have occurred in drafting and working sessions rather than in written analysis. Policy, Budget and Administration has reviewed drafts of the reprogramming letter, which contains the bulk of the relevant cost/savings information on the reorganization to date. This support from the Department recognizes the evolutionary nature of the reorganization—which would really more accurately be labeled a consolidation.

TRIBAL COMMENTS

Question. Your statement indicates that you have received about 275 written comments from tribes and tribal organizations. I would appreciate receiving a summary of those comments.

Answer. At the end of the consultation period, we had received 276 comments in Washington from tribal organizations, tribal members, tribal chairmen, members of Congress and the general public. We categorized these comments in those headings as shown below.

Inter-tribal organizations	4
Tribal members	15
Tribal chairmen	50
Members of Congress	58
General public	149
Total	276

As of June 11, 1982, all letters received were acknowledged, except for 27 of which responses are being prepared. Letters are also being prepared to those constituents identified as requiring follow-ups due to change in locations from the initial concept. Although the overall reaction to the concept of realignment as a feature of the President's objective to reduce the Federal budget was largely favorable. The majority of the tribes expressed opposition to the relocation, or closing down, of their home agency or Area Office due to mainly fear of reduced services to their tribes.

Question. What about the contracts and grants issues? Is Public Law 93-638 working—a great deal of your rationale for this reorganization plan is based on increased contracting with the tribes, with BIA moving into a technical assistance and contract management role, have the problems with 638 contracts been worked out?

Answer. We believe tribal contracting performance under P.L. 93-638 demonstrates quite conclusively a steady annual increase in the volume of tribal contracting and a solid record of effective delivery of programs and services in accord with contract requirements. Certainly, some individual tribes have encountered problems in moving into the contractual mode of operation. But overall, the tribes have compiled an impressive record.

Question. Where do you see the BIA and the Tribes being in 10 years, assuming that this plan goes into effect and the 638 contracts increase?

Answer. Based upon the trend in the annual increase of tribal contracting, we expect the tribes to continue to increase their involvement in this Self-Determination effort. Within ten years, we would expect the level of tribal contracting to reach a plateau where tribal contracting will be the primary mode of operation, with the Bureau assuming role of assistance to tribes, and with direct Bureau program operation exercised primarily with respect to trust and the inherent responsibility for Federal oversight and monitoring. Contracting will continue to be optional with the tribes, however, and there may be some who will continue to prefer Bureau delivery of programs and services.

Question. How many of the tribes are currently making significant use of 638 contracts? By regional office, break it down, please.

Answer. In Fiscal Year 1981 there were 382 tribes and tribal organizations which were operating 1,265 contracts for a total dollar volume of approximately $213 million. A breakdown by area is below:

	Number of tribes contracting	Number of contracts	Amount of contracts
Aberdeen	30	166	$22,970,841.41
Albuquerque	24	160	16,710,000.00
Anadarko	10	28	1,885,959.00
Billings	11	46	9,166,936.00
Eastern	14	81	8,961,572.00
Juneau	77	77	21,000,000.00
Minneapolis	33	145	11,707,057.00
Muskogee	8	37	2,970,211.00
Navajo	1	34	43,464,639.00
Phoenix	33	135	24,000,000.00
Portland	37	247	31,612,903.22
Sacramento	4	9	356,173.00
ITAC	100	100	18,560,000.00
Grand total	382	1,265	213,366,291.63

Note: Based upon initial reports prepared within the various areas.

Question. In looking at this plan, we seem to have a different view of the number of BIA offices. Your plan indicates cutting the area offices from 12 to 5. Yet, for all practical purposes, I count 10: 5 "regional service centers"; 2 special program offices; 2 field offices for the Aberdeen center, and a Washington office for the Eastern area tribes. So, what are we really saying here? What will the savings be?

Answer. The Bureau proposes to consolidate its 12 Area Offices into five (5) Regional Service Centers and two (2) Special Program Offices all of which will provide full administrative services within their jurisdictional boundaries. Within regional boundaries, certain field offices will provide a program management capability closer to agencies/tribes in those locations, for specialized assistance primarily in natural resource program areas. The Regional Service Centers will provide the full range of administrative and program backup for these field offices, along with the agencies in their regions. In the case of the Washington office for eastern tribes, such additional support needs as may be required will be provided by the Central Office staff. The offices noted will be established and staffed within the constraints of the proposed $16 million reduction in overhead and general reduction of 372 FTE planned in the Central Office and mid-level office structures.

Question. If tribes will not have to travel to lead regional offices, according to your testimony, today, but, rather the experts in such offices will travel to the tribes to provide services, are your travel budget and travel ceiling, both, sufficient to allow adequate services to the tribes under this lead agency concept?

Answer. The Bureau will continue its policies to restrict administrative travel and to minimize travel expense through better management and planning in order to assure that essential travel needs in support of programmatic activities receive priority. The Bureau's planned travel budgets are adequate.

Senator COHEN. Mr. Fritz, you put heavy reliance on the fact that Indian tribes are going to assume some greater management of the BIA programs under Public Law 93–638.

It is my understanding that many of the tribes are currently contracting under the act and going bankrupt because of a number of delays in the payment of indirect costs.

How do you intend to address this problem?

Mr. FRITZ. There are certain problems relating to the indirect costs.

Senator COHEN. What gives you the enthusiasm to undertake this new management authority and to pick up the management job of BIA when, in fact, many are going bankrupt now?

Mr. FRITZ. We are now in the process of working out the details of our indirect cost study program. We will be bringing it up here to the Hill in the latter part of this month.

Senator COHEN. Let me stop you there.

Do you not find a little bit of inconsistency there? On the one hand you assume that they are going to pick up the responsibilities and on the other hand we do not have a plan.

How are you going to deal with the existing problem?

Mr. SAMPSEL. Mr. Chairman, first a brief history.

Indirect costs has been a major problem in terms of the Federal Government dealing with the granting and contracting of programs to tribes.

We are currently in a situation in which our shortfall and indirect cost funding allows for the paying of about 85 cents on the dollar in this current year of the amount that is allowed and audited and established by the IG. That is the case.

In terms of dealing with that, we have been working and will be reporting on the progress of the various studies that have taken place in the course of the last year, I believe, on the 30th of this month before this committee.

Why are we encouraged that additional contracting is going to take place? In light of the difficulty that the tribes are having, how do we think that?

I believe we are going to be in the position to solve that in terms of dealing with other Federal agencies. It is not that the Bureau of Indian Affairs and its programs do not provide for the contracting of its funds.

Every now and then we have a shortfall. But the primary problem is—and why you see such large indirect cost problems—is that statutorily many of the programs that are provided for Indian tribes in the form of grants and contracts are limited in the amount of indirect cost that they will allow within those programs. I am talking about EDA, for example, I am talking also about ANA and some of their grants.

So the question is a matter of how are you going to get to that issue.

In terms of where we are this year, even with all those problems, the Navajo Nation assumed the contract of its entire social services program this year. There is an indication that they wish to expand the contracting as it relates to education. These are massive programs.

We work with the tribe in developing a proposal that would allow them to assess the cost as it relates to those types of activities. We are encouraged that within the 1983 cycle that they will complete that analysis. I believe you can see major contracting efforts by the Navajo Tribe.

We have at least two tribes in Oklahoma that now have before the Bureau applications to contract the entire operation of the agency that services them.

We have a proposal that is being studied now with the Minnesota Chippewas. They have petitioned the Bureau to contract for all the services provided to them. We are talking about major and massive contracting efforts.

Why are they going after entire agency operations? They are going after entire agency operations because it eliminates the fragmented program approach that they have had in the past which have been inefficient and not cost effective because of the residual agency staff needed. You take over the whole thing with the exception of the trust responsibility and oversight function and you end up with a much more efficient package both for the tribe and for us.

So, while there are problems—and there is no question about that—and while they need to be addressed and studied, there is no indication—at least from the tribes that are approaching us now—that there is a decline of the willingness to contract.

Certain tribes that have had difficulty in the past may be, in fact, retroceding programs to the Bureau because they have not been able to operate them and get funded at the proper level, both in terms of their indirect costs and others.

That is not just a Bureau problem. It is a Government-wide problem that has to be addressed in terms of what is legitimate and an effective means of covering the indirect costs of operating programs that the Government would otherwise operate, whether it is in BIA programs or in EDA or whatever.

So, I am encouraged that with all the difficulties which we acknowledge and have been looking to try to come up with the package to address, the tribes, even with that knowledge, are saying:

"Look, we still want to run our programs."

The four tribes that I have mentioned, even in the programmatic area—Senator Gorton, I know that you know this. All of the fisheries program in the State of Washington for that entire management issue as it relates to that system is contracted to the tribal governments. It is roughly $5 million a year in that program.

We see no indication from the tribes that are dealing with us that there is going to be a massive retrocession even though the indirect cost question is there.

Senator **Cohen**. If the tribes increase their contracting activity, I assume there will be more administrative positions that they will have to undertake; right?

Mr. **Sampsel**. Yes.

Senator Cohen. Do you see a corresponding reduction in BIA personnel?

Mr. Sampsel. Yes; what you will find is that with the greater increase in contracting, you will have a reduction in the full-time equivalency of the Bureau.

With contracting you do not get a reduction in cost. You get a reduction in personnel.

The other thing that happens is this.

Senator Gorton. Please explain that. Does that mean you get more money into the service?

Mr. Sampsel. You transfer the program dollars and they include the personnel costs.

Let us say a program is costing $1 million to operate and the tribe contracts that program at $1 million. It is not a reduction in your budget, but it is a reduction in your Federal employment.

Senator Gorton. Federal employment and not necessarily the transfer; right?

Mr. Sampsel. Correct.

Senator Cohen. Is there more money allocated for contracting for the tribes?

Is it correct that you are cutting back at the Federal level and then also not providing the kind of contracting support for the tribes?

Mr. Sampsel. Let us take two categories. First we have the contract support which, in fact, is our indirect cost fund. That goes with the contracting as the indirect and overhead costs to the tribe.

Then we have our contracting and granting function which is an administrative function that basically involves people putting together on paper what is required to make it work.

We have made major changes within the last year in terms of putting the agency's superintendent in charge of the contracting at the agency.

One of the big misconceptions is that somehow the area offices in the past or the new regional concept are going to have some control over what the contracting process is. That is wrong. The contracting process is being sent down to that superintendent and we are saying to that line officer: "You are responsible for contracting with those tribes within your jurisdiction or with that tribe within your jurisdiction."

That contracting function is there.

What happens at the central office is that that is the place where the boiler plate is put on and all the things that are necessary in order to have the types of compliances that a contracting officer needs to insure the correct use of the money.

What we have not had in the past is that we have not had good oversight and contract monitoring. This is pointed out in the GAO reports and studies. I believe Mr. Balsiger was up this last week talking to the committee on the House side about the problem we have had and the corrective measures.

We think we are now in a position to have contract monitoring and compliance under control with existing staff levels by simply demanding that the COR's and GOR's do their job and that we are able to account for that.

Frankly, there is a tendency over the past few years to allow the contracting officer to be in charge of the program. So, the line officer would say: "That is a contracted program. It is no longer my responsibility."

We say: "Yes, it is. If you are a line officer you are a superintendent and a line officer in this organization. You are responsible for making sure that those contracts and grants are monitored in your agency and under your jurisdiction and reporting in on a quarterly basis the program that they are having and/or the difficulties so that the proper technical assistance can go forward."

We think we can do that. We are confident that can be addressed.

Where we have a problem is here. When we have—when we talk about contracting then the question is: "Do you not need additional administrative staff?"

I suppose when it is contracted, the contracting officer's representative is considered to be administration. I prefer to continue to see him as a program officer with the general programmatic responsibility for making sure that the contract is deliverable and it is delivered whether it is a social services contract and somebody can evaluate in terms of filing the proper invoice, of whether they have had referrals, case visits, and so on and how they are doing with their caseload.

I want a forester to monitor a forestry contract, not a GS-7 administrative clerk.

So while it may be administrative personnel, I see it as requiring program expertise. I would call it program management as opposed to administration.

Mr. **Fritz**. Mr. Chairman, we did emphasize the overall oversight of both contracts and grants and property in terms of the proposed function of statements that we sent out to these people. So, our teams are out at the local levels and they focused on the need for oversight function which had not really been focused upon in any great extent in the past.

Senator **Cohen**. I recall when the administration unveiled this New Federalism and proposed a transfer of the number of functions to the States and the assumption by the Federal Government of some of the current programs being carried out and administered in the States.

One of the biggest criticisms of that was that you would try to transfer over to the State something they might not be prepared to undertake.

My question is this: What sort of funding or training capability are you transferring to the tribes to undertake this management function? They have not had that function in the past. Now they are expected to undertake it. So what is being done to prepare them for it?

Mr. **Sampsel**. Let me give you a specific example because in certain cases the funding level is not there in order to do the amount of training that might be necessary.

A tremendous amount of money has been spent over the last few years in the grant program for capacity building with the tribes.

It comes as no surprise to this committee or any of the audience, I am sure, that the capacity of tribes has not been greatly increased by the expenditures of that money.

So, when we were dealing—a specific example serves best. When we were dealing with the Minnesota Chippewas in terms of providing the necessary funds for them to get prepared to assume the contracting responsibility, we did that in cooperation with ANA which provided some money under the Department of HHS. Commissioner David Lester and I agreed to enter into a memorandum of agreement in which funds will be made available to ANA to assist the tribe in terms of increasing its capacity in order to be able to assume the contracting function.

Though ANA is relatively small in terms of a budget program, it does have the funding available to add almost exclusively to the capacity building of tribal, Indian, and native organizations. Over the course of the last year we have been working very, very closely with that organization to make sure that we do not duplicate funding and also that we maximize the funding on the basis of need that will have the greatest impact.

Senator Cohen. Has their budget been reduced also?

Mr. Sampsel. Yes; it has. It was reduced. ANA's has been reduced but our budget has not been reduced. I hasten to add that because even in these times of frugality and scarcity in Federal level, the Bureau has maintained its budget level and even has a modest increase since the 1983 funding requests.

Senator Cohen. If you are going to transfer that responsibility to the ANA and they have a reduced budget, where is the source of the money?

Mr. Sampsel. I would not say that we were transferring the responsibility. I would say we are coordinating to better maximize the use of those dollars.

Senator Cohen. Let me stop you there.

You have the money in BIA. But you are going to work together with ANA who has a reduced budget to somehow transfer that expertise and training for management capabilities over to the tribes.

Where is the source of those dollars?

Mr. Sampsel. In this case there is funding available through ANA to help out the situation that exists with the Chippewas. That grant will be made available.

Senator Cohen. I am not talking about one tribe. I am talking about what transferring responsibilities to tribes will be. I am talking about all tribes.

Mr. Sampsel. You have certain tribes now that are contracting. There is a degree of expertise.

Can we totally fund the transfer of the administrative function of the Bureau functions to all tribes? The answer is no. But, there are no requests from tribes to do that. There is funding there to address the needs that are taking place.

Another example is this. We are in a position—and we have been working yesterday and today with the Crow Tribe from Montana—to improve their management capacity to deal with those issues. That becomes a priority because they are ready. That becomes a priority within that particular tribal council because they are ready and are asking for assistance because they want to assume a greater role in terms of contracting and administering their own program.

That is not necessarily the case with all tribes. Do we have enough to do it all? No; but nor is there the request from the tribal governments to say that they want to do it all.

Senator COHEN. The tribal governments do not make the requests and BIA still maintains the management function; is that right?

Mr. SAMPSEL. Yes; if it is not a contracted program, then the need for that type of capacity is not there.

If a tribe says they do not want a contract or a social service program, then we do not go out and build a capacity to have that type of training within the tribe.

However, there is a basic management that has to take place, like financial accountability, personnel systems, and property management systems. Those normally have been designed a number of times with a lot of tribes. The question today is the implementation and the use of those.

Our biggest deficiency in tribal government today is the turnover in tribal government personnel and adequately trained personnel. The systems have been developed, but if I see a consistent breakdown, it is in the area of training of tribal personnel and their ability to maintain those types of functions.

It is not a criticism of them necessarily, but it is a shortcoming. The Bureau needs to address that and to be more aggressive in terms of its personnel training with tribal management. So does ANA, and so does Labor, and so do other people who are helping with the contracting functions. It is not a single Bureau responsibility. There are a whole bunch of other people. We need to coordinate that training and technical assistance dollars to make sure that it is maximizing itself and not being frittered away.

I have another example. I believe this is very, very important. I apologize for talking so long.

My friends, the Crows, are in town. I work closely with them. They will be the first to admit that over the course of the last 4 years they have had a problem with their administrative system.

It has not been because of a lack of money. There have been $1 million spent in development of a management and a tracking system for the Crow Tribe.

Today the problem is not the design of that system. It is the implementation of that system with having some properly trained tribal employees. That is what we are talking about.

So, that is very, very important that we understand that there are shortcomings both within the Government and within the tribe, but that there are dollars there to deal with that type of issue if we can coordinate with the agencies that are doing business on a tribal individual basis.

Senator COHEN. Mr. Fritz, tell us about your lead region concept. I understand you have certain lead regions for programs like fisheries, timber, irrigation, and range management. Tell me how that is going to work.

Mr. FRITZ. The lead region concept really is a recognition by the Bureau and by those of us who are the political executives of the Bureau in working in conjunction with our career executives that we do not have a grasp on the trust issues that face the Bureau and which are critical issues and which are the rationale and the basis for our Government-to-Government relationships with the tribes.

We do not have a focus, I do not believe, currently, in terms of expertise in the country on an operational basis which would allow us to appropriately respond to the needs of the tribes on a day-to-day basis.

The technical expertise is focused, to some extent, here in Washington. Then we have sporadic availability of personnel across the country. It stems from a number of different problems. But to be perfectly candid, one of them happens to be the location of Washington, D.C., in terms of Indian country.

If we have a young Indian forester, or young Indian minerals and mining expert, or young Indian fishery expert, then very likely they will not want to leave the West. They have been raised in the West and they have been educated in the West and they are ready to provide services in the West, services of an operational nature.

As a result we have to face that difficulty of attracting competent personnel back here to the East to work in our realm. We do get them, but we get a limited number of good technical people back here. Most are unwilling to leave the West.

Another problem in attracting them is the disparity of the cost of living here as opposed to some of the locations that we have in the West.

So what we did was that we attempted to focus on the problem of providing technical assistance and service to the tribe. When we talk about that from the trust standpoint, we are not talking about moving, for example, a forester out of Minneapolis, for example, or a mining and minerals expert out of Billings, Mont., or wherever. We are talking about putting more people in the forestry shop out in Portland and dealing with the problems on a national basis. In other words, these people in the lead regional offices would be a resource center for the rest of the people across the Nation.

Obviously the problems that are faced at the Navajo Forest are far different from the problems faced in the Alaskan Forest or in the Washington Forest or wherever. We recognize that. We recognize that we have to address the need for a pool of resource people at various locations around the country.

I think Mr. Sampsel probably is more familiar with some of these trust issues than I am, but we are both committed to dealing with and solving the operational problems of the tribes by giving them technical assistance or by giving our own agencies which are providing services in instances where it is not contracted, technical assistance for the national resource management or enhancement.

Mr. SAMPSEL. Mr. Chairman, one of the great fears that was expressed in somewhere in the neighborhood of 75 to 80 letters was that somehow the lead region would diminish the service available at the region or the tribal level. The fact of the matter is that, as Mr. Fritz has indicated, one of the major concerns is getting our services out into the West and into Indian country and into places where it can be used.

Let us take forestry. I realize there are forests and forestry problems across this country. Those foresters who are currently in place in the field will not be moved. We will not be moving foresters from the field to Portland, for example. What we would be doing is reducing the central office of forestry staff and placing them in a lead region so we have the technical expertise together.

Let me go through forestry, fisheries and a couple of others to give you an idea.

We would plan on having, for example, all the computer set up necessary to develop forestry management plans which are currently being developed by the Portland area. Most of it is already completed. So, a tribe wishing to enter into comprehensive planning right up to today's technology in forestry management, can do so by putting such a plan together. The computer program has been developed in cooperation with the Forest Service, which has fantastic forestry labs; the BLM; and the States of Oregon and Washington. We also have been working closely with the industry.

Why Portland? Because 80 percent of the tribally owned commercial timber is located within that region. That is where the current expertise is. If we were to get a request from the Navajos or a request from Maine, then what we would do, as the people in Maine would not be flying to Portland, Oreg., the technicians from Portland would be going to Maine and say: "OK, let us take a look at what you have. Let us go back and put it through the computer system."

That would allow them to lay out management plans. Then they will go through and help them with their allowable cut and talk about the marketing of that timber in relationship to the situation there.

We cannot afford to have timber economists in every region. First of all, it is going to be very hard to get them, even on the pay scales that we are talking about in Government.

So the idea is to centralize them in the West and to put them into an attractive place. Frankly, most of the folks do not want to come back to Washington to work.

Our current forester, George Smith came to Washington on the written guarantee that he had a turnaround to go back, even though he wanted a chance to run the foresty program.

But no way was he going to do that without the guarantee.

The fisheries program is another example. When we talk about fisheries there is no question there is a fisheries issue that relates to hatchery operations, put and take fisheries, and fisheries in the South that deal primarily with recreation.

We understand those responsibilities, particularly in light of some of the changes that have taken place in the U.S. Fish and Wildlife Service.

But the majority of our trust issues, as it relates to fisheries, are in the Great Lakes, which are just getting organized as a result of *U.S.* v. *Michigan* case, and the Great Lakes fisheries beginning to develop. A new commission is going to be formed there to deal with that fishery issue.

But the majority of our money, which is already contracted out to tribal governments, and the majority of the expertise, is, in fact, in the West. Portland, again, is at the center because of Puget Sound and the Columbia River and the new realinement taking in the Klamath River as an additional responsibility. You put that together with the east coast fishery and the treaty issues—not just fishery issues, but treaty fishery issues—as it relates to PFMC, the ocean fishery. Both are on the coast and in Alaska.

So far as the Bureau of Indian Affairs responsibility for treaty fisheries is concerned, the major international fisheries involvement we have are the negotiations with Canada and the current departmental representative for those negotiations is in Portland, Oreg., and not in Washington, D.C.

So, our expertise in Washington basically is expertise on how you get money out of Washington to the field so it can be utilized.

How will these regions work? All of the regional directors which have a responsibility in forestry, fisheries, mining, minerals, or irrigation will meet in an annual work plan session. They will be required to have met and consulted with the tribes when the needs and priorities among the Federal Governments are concerned.

It is at that session that they will determine an annual work plan for that division. That division then will establish where the moneys are going to be spent and the priorities for the work among the regional directors that are affected by that.

So there will be, if you will, a sunshine policy on where the fisheries money is being spent nationwide and where the timber money is being spent and how the priority list was developed and who is responsible for doing that type of work. That is not available now either to us or individual tribal governments. So, I think it will be better and I think it will also show up a tremendous need that is not being met in certain areas that we frankly do not have a good handle on.

I do not know, nor could I tell this committee today, what the cost of fulfilling our trust responsibility to the Great Lakes fishery, for example, is. We have not analyzed it and we do not know. We know it is there. But it has not happened because we have not been able to talk with the individual tribes and lay out the plans and put it on a priority basis.

The majority of our fisheries money today is line item money. The Columbia River is a line item within our budget. So is the western Washington fisheries. That is a line item. So those line item moneys are sitting there and what is left is a relatively small pot of money based upon need. I think we need to have that expertise centralized and have this process of review.

So, if you take these two examples I have outlined in a general way and simply say that is the concept of the lead region, then those agencies which currently have expertise in those trust areas will not lose those people.

Within the central office we estimate that we will be transferring to the field an additional 61 people with expertise to beef up those offices and to have them centralized. So if you want to know something about forestry, then you ought to be able to pick up the phone and get it.

One other thing that has led us to a lead region concept is the availability of information. We will enter into the process now of having fully operational within 2 years our data processing and management information system which will allow for each of the regions to have full computer capacity.

Each agency within the Bureau will have a terminal. Most of those terminals, the majority of them, will be intelligent terminals. They will be able to ask questions and query.

So if you are sitting at an agency office wanting to know what the current forestry program is, then you simply will be able to go to that technician and query Portland as to what is happening in the forestry program and get immediately a printed page if you want a copy of that data.

So, the communications capacity as well as the need to centralize these functions, I think, is an improved system. It has never been available to tribal governments before nor to our own BIA resource managers in the field.

So I am encouraged by the concept. I think it is one of the most exciting things in the realinement. I realize it is misunderstood because it has not had a chance to be adequately explained. I appreciate the chance to do it before this committee today. I think it will be a great improvement.

Senator Cohen. As a matter of fact, one of the complaints I have heard to date is the question of travel and communication; that there would have to be increased travel expenses for the tribes in California who would have to travel to Phoenix instead of Sacramento, and those in Montana and Wyoming who would have to go to Aberdeen, and Minnesota, Michigan, and Wisconsin would have to go to Aberdeen. The eastern tribes in Maine and Florida would go to Washington, D.C. or to Oklahoma.

What you are saying is they will not travel at all. What you have tried to do is to concentrate the experts in those regions which are most suited for that particular fishery or forestry or range management—to those geographical areas—and then bring the experts from there to the extent they have to travel and the travel comes from the regions to the east and so forth; is that right?

Mr. Fritz. That is right.

Mr. Sampsel. Let us take Aberdeen. Aberdeen would be a lead region as it relates to range management and realty.

Within the Aberdeen region, two-thirds of all of our allotted lands exist. So it is logical to have that as the lead responsibility in that area.

California has come up a number of times. I realize there are people here from California who have said they do not want to have to travel to Phoenix. Without jest, I think there probably was not a great deal of success in traveling to Sacramento. Of all the criticism that I heard from the tribes in California it was that Sacramento did not do anything. So, we said:

"Look, Sacramento seems to be an office that is not in a position to deal with all the tribes in California on an effective basis."

Why should we have that office inasmuch as essentially it is an administrative function with still a portion of the administration of the California tribes already being done in Phoenix.

For example, all of the grant and contract work, once it was completed in this package, actually was administered by the Phoenix office in terms of its administrative function. This was before the realinement.

So what we have said is that we can get that administrative function into Phoenix and beef up the agency offices in California and leave in place in California the functions that we know are necessary, like the expertise as it relates to the Klamath River and so on.

We are not going to take those out and transfer them, but to beef up those agencies is what we want. What do you have in Sacramento? You have the central California agency which we hope will have more people and be able to do a better job for the tribes that it services.

I am not criticizing the personnel in Sacramento directly, but I did not see in Sacramento an area office worth saving because I could not see the function it was providing. The work was being done at the agencies if it was being done at all. There is no question that California has not effectively been addressed in the past. This is just a start. You cannot address the problem of the tribes in California on the basis that we are currently organized under. But saving the Sacramento office did not enhance ability to deal with those issues either.

Mr. Fritz. One of the things that is necessary to look at is the role of the various offices at the various levels that we have.

The central office's role essentially is that of developing policies to fulfill our trust responsibilities and other obligations under the laws and treaties together with addressing national administrative priorities. It also has the oversight or review responsibility for determining if current policies are effective and determining and articulating the need for changes.

Essentially the central office here in Washington has a role to act as an advocate and as a spokesman for priority Indian concerns of a national forum.

But let us look at the offices below there to really determine——

Senator Cohen. Let me interrupt you. I am looking at the map you provided us. I do not see a central office for California.

Mr. Fritz. It is an agency. It is the Central California Agency.

Senator Cohen. Where is it?

Mr. Fritz. It is in Sacramento.

Mr. Sampsel. There are 86 offices. Many are not shown on that map.

Senator Cohen. I see.

I am confused by this invisible agency. Please clear it up.

Mr. Fritz. There are three levels. Let us talk about the current structure.

There is the central office located in Washington, D.C. It has ancillary offices in the West—one in Albuquerque, one in Denver, and a couple spread throughout the West such as the center in Boise. There are people attached there. They are functioning as the arm of the central office here.

Then in addition to that we have 12 area offices which are spread throughout the United States. That is the level we are proposing to focus this reorganization on.

Below that are agency and field offices. They are not reflected on that map that you have because we have not affected any changes there.

Senator Cohen. Does the Sacramento office stay open?

Mr. Fritz. No; that will be closed. But down the street from the Sacramento area office is the Central California Agency which is also colocated in the city of Sacramento. That will stay open.

Mr. Sampsel. It is in the same building.

Senator Cohen. I see. Please go ahead.

It is all perfectly clear.

Mr. Fritz. We were hoping it would be.

One of the things that is forgotten is what the role of midmanagement or midlevel office is. That really is to implement area or regional applications of the national policy from here in Washington and to tailor it to the needs and capabilities of the tribes located in that particular geographical area.

Mr. Sampsel. Let me add one thing. One of the new emphases relates to the level of delivering services to tribes.

Regional offices need to get out of that business. Service to tribes, as tribes have said over and over again, is best delivered by the agency and best delivered at the agency level.

We do not need case workers in the area offices. We need them on the tribal level. We do not need case workers in the central office. They need to be out in the field.

So we want to eliminate that type of work and get it where it can be done. That calls for a reduction in central office staff and, if you will, a redefining. That is why the name "service center" applies as opposed to "area office" which has the connotation of line authority because that is where policy is going to be made. It is not going to be made at the area or regional level.

We are going to get those responsibilities into the hands of the line offices closest to the tribes so that is where it can be worked.

We are going to try to limit the area line officer and some of his staff in terms of responsibilities for personnel classification, for example, and contracting and grant compliance and monitoring and financial assistance and so on.

We will put those into tighter units so they hopefully can be more responsive and do it on a more timely basis.

Before I came into Government I did work for the BIA on one job. I swore if I ever found the contracting officer or the finance clerk that sat on my check for 72 days after the normal 180 days I was told it might take, that I would personally go after him.

I have not been able to identify that person, but I have identified the problem. The problem was the number of layers that this thing had to go through. It was an agency level and tribal level, then agency and area level, then to Albuquerque and then from Albuquerque back out through the system.

We are going to close that down with this data processing system. We will get that new regional system out there responding as a service to the agencies and not to the tribes, but to the agencies. The agency has the responsibility to deal with the tribal government.

If we can get that basic philosophical change made in this reorganization, then a lot of the other changes that are necessary to make this bureaucracy more responsive to tribal governments can, in fact, take place. This is the first step.

Mr. Fritz. If we can get it reduced down to the agencies providing the services on the day-to-day basis of all of the necessary governmental services, then we can reduce the need for travel.

We do not have to have the tribe foot a bill in order to look for services from us. They had better be there at the local level because if it is not, then something is dreadfully wrong with our system and something is dreadfully wrong with our management. If we are not managing to provide that tribal service at the local level, at the agency level, then there is little reason for us to continue with the people who are in that office. We should look for a shift in personnel.

That is where the tribal money should be saved.

Senator **Cohen**. Senator Andrews.

Senator **Andrews**. Thank you, Mr. Chairman.

I am pleased that the plan has been presented to the Congress. We have been hearing about this plan. We have seen some tentative drafts of it for some months now. I know you have put a lot of time and effort followi[illegible] you believe is a good sound plan for reorganizing the B[illegible]

Hop[illegible] it reflects the concerns and ideas of the tribes. I hope that you go back and talk to the tribal leadership to make absolutely sure that this fits in with the people you are working with in the best way. I assume that is being done; is it not?

Mr. **Fritz**. Senator, we have after the February meeting, when we introduced this concept to the Hill and to the various tribes throughout the country, identified that as purely a concept paper. It was a concept paper dedicated to flushing out comments and flushing out our thought processes relating to a reorganization.

As has been stated here earlier this morning, we have had reports from the American Indian Policy Review Commission. We had an internal study done throughout 1978 and 1980. We had extensive tribal input. We went back and took those and looked at those for a basic skeleton and designed a plan which we entitled, "The Concept Paper." We sent that to the field.

That has been in discussion throughout the country from the latter part of February through about the end of April with the various tribal groups throughout the country. Our line officers were instructed to get out and to get the comments back from the tribes.

Obviously we are not going to get 100 percent positive. As a matter of fact, most of the comments that we received were negative, particularly from those areas and from our employees who were negatively affected and also from some of the collective bargaining units that are located throughout the country that we deal with. It was really based on the negative impact that was perceived upon those people on a personal basis as opposed to one which was on a systematic basis.

Yes, we are trying to involve the tribes. We have tried to involve them since we introduced the concept on paper. We are taking it back to them and talking with them.

Senator **Andrews**. I am glad you are here. You are doing it every step of the way.

I am also gratified to hear that the reason you give for this reorganization of the BIA is to give the tribes more input and control over tribal matters and services. Certainly that is the way to proceed. That is what the tribes want. The self-determination at the tribal level should be the goal of any thoughtful administrator of the BIA. Unless you do that, we are all going to be in a host of problems.

Mr. Chairman, I understand when the Bureau began to plan for reorganization of the area offices last February, that there were many questions raised by the tribes and by Indian organizations during this committee's oversight hearings on the budget for fiscal year 1983.

BIA witnesses indicated that they would consult with the tribes and organizations before submitting a final plan for reorganization.

You have just said that you have been doing that consulting. How are you sure that you have touched all the bases? What kind of orderly process is it? Is it haphazard? Or are there some means by which you are sure we are not going to wake up after we finally formulate this thing and a couple of major tribes come in and say: "Hey, nobody contacted us."

What method are you using?

Mr. **Sampsel.** Senator, let me respond to the question in terms of this.

All of the regional offices were instructed to have regional meetings with their tribes. Superintendents were asked to meet with their individual tribal groups.

Senator **Andrews.** So every tribal council has received the formal invitation to participate in this process?

Mr. **Sampsel.** That is correct.

We also have had a series of meetings that have taken place beyond that.

I want to say that the consultation process has been there, but to imply to the committee that the consultation resulted in concurrence would be misleading. There are many tribes—and most of the tribal organizations—which have serious doubts about any portion of this plan or the way this was done.

For example, my friend, Mr. Savilla, representing the Tribal Chairman's Association, would say he does not like the means by which we went about consulting him. I respect his difference of opinion but the fact is that there was a process and it was not sporadic or irrational.

I leave today after this hearing and will be going to Portland, Oreg., where I will be meeting with a number of tribal leaders. Then on Monday every tribal chairman in the Portland region has been invited to sit down with myself and with the president of the National Tribal Chairmen's Association, Mr. Joe De LaCruz. Monday evening I will be meeting 4 hours to go over the reorganization plan as it affects those people in that region and to talk about tribal priorities, particularly in light of some of the concerns they have about the current timber situation.

Senator **Andrews.** Let us go back to the gestation period of the original plan for reorganization.

Was that decision made in consultation with the current area directors, technical and career personnel and tribes? Or is it something that you guys hatched up in your Washington offices?

Mr. **Fritz.** That is an appropriate question.

Senator **Andrews.** I ask it because during our budget oversight hearings the BIA was not able to furnish any supporting data for the reorganization as it was planned.

So I am wondering where this original document came from.

Mr. **Sampsel.** The original draft document that was proposed at the February meeting?

Senator **Andrews.** Yes, who put that together?

Mr. Sampsel. We had a group of people from inside the Bureau. I would be happy to provide the list.

Senator Andrews. You said it all when you said they were deep inside the bowels of the Bureau.

Mr. Sampsel. I did not say they were deep inside the bowels of the Bureau, Senator. I said "from inside the Bureau."

Mr. Sampsel. One of the questions that comes about is this: At what point do you start your consultation process? That is the heart of the question.

We chose to do it by laying on the table a proposal. That was presented as a proposal. Between February and April it was debated.

The significant thing about whether it was something that was hatched up is that we had major changes as a result of that proposal. For example, we changed the original concept as it related to Alaska and how we were going to handle that on the basis of the tribes and also with the input of the area directors.

We also changed it in terms of our eastern concept by continuing to establish an eastern presence in Washington, D.C., and in negotiating with the eastern tribes on how they would best like to have it handled.

We did not change the concept that we only needed one computer to service that center. So, the computer——

Senator Andrews. Did this plan come up because of studies that had been done over a period of time?

Mr. Sampsel. Yes; we have said that the plan was developed on the basis of studies that go back to 1974.

Most of us sitting here were not part of the bureaucracy. I testified before the Policy Review Commission, as did Commissioner Bruce and some of the other friends that I sat with before I came to Washington, D.C.

I do not know about some of the other folks, but we were not born as BIA bureaucrats.

Senator Andrews. That is one of the biggest pluses you have going.

Mr. Sampsel. So a lot of us have been looking at what needed to be done in this for a long time.

Senator Andrews. The 74 studies you were using which date back to 1974, are they still accurate today and express the need still and the problems and the current conditions across the country?

Mr. Sampsel. I would say the concerns expressed are accurate. I am not sure that the means by which you might address those concerns in 1974 would be the same today. A lot of that has to do with technology and the fact that in 1974 we did not know that 25 percent of the Bureau would be contracted today nor did we have a full idea of what the implications would be of Public Law 95-561, which is the Education Act.

So there are changes but I think the basic concerns are the same. Do we have an organization that will be responsive? Where should the major authority be?

The major authority should be at the superintendent's level. We have not gone to the extent that the 1974 study recommended, which is to eliminate midmanagement and have direct reporting from the agency to the central office. But what we have done is to delegate in terms of the function to the superintendent by putting greater authority with the superintendent.

We still believe there is the need for a midlevel line management because of the collective functions that exist within the service center area.

But, if I were to go back, I would say that those were the major concerns, then they had great public hearings and they were conducted all over the country. As a matter of fact, I believe Congressman Yates served on that particular review commission.

Then we had studies that were done under Forrest Gerard's administration. We reviewed most of those studies.

Senator ANDREWS. A large part of this reorganization, as I understand it, not at the top level or the middle level, but out in the field, was the impact on the tribe.

As you move away from the traditional role of providing service and getting more and more into the category of providing technical advice; if you sit out there in the field providing technical advice instead of the services that used to be offered, then where is the tribe going to get the services?

Will they have the resources to get them on an ad hoc basis? Can they hire young tribal members who have gone off for training and education and come back?

Are you providing them the wherewithal and the backup to provide for themselves the services that you used to provide? Or, are they going to be left out there being given a heck of a lot of advice and not having any of the resources to provide the services?

Mr. SAMPSEL. Let me suggest that that description of how the Bureau operates is wrong.

Senator ANDREWS. As I look at this plan——

Mr. SAMPSEL. This plan deals with the central office and area office reorganization. Service is provided at the agency level.

We are cutting the administrative and overhead functions at the central and area office levels.

The services provided at the area offices are services to agencies. We do not have social workers who ought to be doing direct social work from Aberdeen. But it should be taking place at the agency office.

Senator ANDREWS. You said the thrust of this is to move away——

Mr. SAMPSEL. Not to eliminate the Bureau's responsibility, but to eliminate that regional office's responsibility which has a tendency to say:

"We would rather come up with the service here as opposed to giving it to the Agency."

That has been happening.

Senator ANDREWS. Let us get right down to the way of nailing it down. This committee is not going to have a group of tribal leaders coming in here to say:

"Hey, under this reorganization plan they have taken away all of our ability, or a good share of our ability, to provide these services in our local tribal area."

Mr. SAMPSEL. There is not a dollar reduction at the agency tribal level in the 1983 budget and there is not a dollar reduction as a result of this reorganization at the tribal level.

Senator **Andrews**. Some of those dollars will be transferred to let the tribe do it instead of having it done totally?

Mr. **Sampsel**. Yes; and that is established by the contracting mechanism in terms of the tribe being able to assume those responsibilities.

There are very few functions, and I think of almost none that are administered in an area or regional office or part of a central office that a tribe would want to contract for. What we want to do is that we want to have those functions at the agency level so that those programs directly affecting that tribe can, in fact, be administered by that tribe by either contracting for them or through the mechanism that we forget exists in Public Law 93–368 where the tribes have the right to redesign the program to meet its needs.

Senator **Andrews**. Fine; I am glad for that personal touch and all the rest. But in your reorganization you have these headquarters set up. There is one headquarters set up to service one tribe. And there is another headquarters in my backyard at the Aberdeen office which will serve 30 tribes.

Where is the equity and the parity and all of that if you have indeed one area office with one group of personnel servicing 30 tribes with different heritages and different customs and different needs spread over a whale of a lot of area?

Mr. **Sampsel**. The services do not rely on the cultural identity. There is no cultural way to fill out a personnel form or to process a travel voucher. These offices are going to be designed and maintained on the basis of the workload analysis that has been done for each of the functions in those offices.

How many hours does it take to do X, Y, and Z with a certain volume of work?

Why an office in Navajo? Because you are dealing with huge geographic locations. That is the only place where we have an area office that services one tribe.

And, one-third of our population, that is, 49 percent of all of our facilities of the entire BIA is serving the Navajo Indian Nation with 160,000 Indians.

So, it is the volume of work and not the number of tribes. If we remember that the job of the area office and the regional office is to service agencies and that is the function of this reorganization plan, then their job is to make what is going on at that superintendent level work.

Senator **Andrews**. If you state, as you did a moment ago, that you are working with the tribal leaders in order to make sure that these programs you are working out do fit in with the needs of the members of their tribe, then it cannot help but be tougher to work with 30 sets of tribal leaders than one set of tribal leaders.

Mr. **Sampsel**. Let us take functions. How do we want social services oversight functions within a regional office to work in relationship to the tribes that are either contracting or having that service provided directly at the agency level? That is, we are not saying how we want that service delivered to that individual Indian on that certain reservation. We are talking about how the regional office is going to assist that agency in making sure that service is delivered by speeding up the process of the paper work and making sure that the advices of allotment get out on time, and that there is an adequate accountability in the function for providing the oversight necessary to secure the proper expenditure of Federal funds. That is what we are after.

We can work those agreements out.

We talk about training needs. We are talking about the training needs of the various tribes. We talk about the regional offices and we say: "What training does the regional office need to provide? Should it be providing it on a regional basis? Or, is it best handled at the agency level?"

That is what you talk with individual tribal leaders that impacts them.

Senator Andrews. In the budget justification for fiscal year 1983, the BIA indicated there would be an overall savings of $16 million for fiscal year 1983 and that a detailed breakdown and explanation of the savings would be furnished to the Congress before congressional hearings.

This committee is still waiting for the breakdown. I asked about it during the Appropriations Committee work. Is the $16 million savings related to the reorganization plan?

Mr. Fritz. Yes, it is.

Senator Andrews. All of it?

Mr. Fritz. Yes.

Senator Andrews. How much of this savings is coming from cuts in tribal services and programs versus cuts to administration of the BIA?

Mr. Fritz. None.

Senator Andrews. Can you provide us with a detailed breakdown by line item of the $16 million savings for the record?

Mr. Fritz. Yes; we agreed earlier to provide that for the record.[1]

Senator Andrews. I see.

And you could do it within the next week or so?

Mr. Fritz. Yes, sir.

Senator Andrews. I hate to put a time limit on it, but we have been waiting since early February. The programing has to take place within the next few weeks. We would like to have this information so we can make a recommendation to the Appropriations Committee.

One last question. Going back to the regional service centers, I notice there are two field offices—one in Billings and one in Minneapolis—for the Aberdeen Regional Service Center. Yet, there are no field offices for any other regional center. Why?

Mr. Fritz. We looked at the needs of that entire region and determined that in Montana, for example, there is a great deal of emphasis and necessity to adequately service the natural resource development and protection of the tribes' rights that are located in Montana and Wyoming. So that office will be pretty much devoted to that service.

Whereas on the eastern side in the Minnesota, Wisconsin, and Michigan area, for those tribes we have problems which are a little bit different and our plan had to be tailored to the tribes which are located in those States so that we could adequately respond to both the human needs as well as the natural resource and trust management needs that those tribes experience.

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[1] See p. 7.

So, we felt it was incumbent upon us to provide two small field offices in order to service the needs of those divergent areas to that region.

Senator Andrews. Looking at the overall area size, the field offices are relatively close together, given the size. You would go all the way to Michigan and all the way down and including the other. It looks like you have drawn a straight line through the top three States and put your key people there. Some of the others are far away.

Mr. Sampsel. We had existing area offices in Billings and in Minneapolis.

Aberdeen, for example, has for a long period of time been serving the Central Plains and those tribes.

When we started talking about consolidating, we did not have the ability in the consolidation to maintain three regional offices in the three area locations. So, a combination of factors were taken into consideration. One was cost. What would be the most cost-efficient way to provide the administrative services necessary out to the regions and also programmatic needs?

We did not have the expertise in Billings, nor should we have expected to have in the mining and minerals and in the water litigation area that existed in the trust office of the Billings office because of the very nature of our trust responsibility there.

So we determined that the administrative functions could easily be handled in Aberdeen.

Senator Andrews. Do you do this by telephone? Or is the administrator going to go out there?

Mr. Sampsel. He will have to get out among the tribes. That is why we put them closer to Billings so in the key trust issues when the expertise was already there, then why centralize them?

Senator Andrews. You can fly in and out of Billings to most anywhere in the region. You can fly in and out of Minneapolis to most anywhere in the region. But try to fly in and out of Aberdeen. You have a problem.

Mr. Sampsel. That is right.

Senator Andrews. So you put your main office where it is toughest to get around and your two branch offices in sensible locations where you can, in fact, get out to go to the tribes.

It makes you think that you want to keep that bunch of big bloated bureaucrats all safe and insulated out among the tribes.

You put them in one place among the three locations where they cannot really go out among the tribes. They are the ones who are going to stay deep within the bowels.

Senator Cohen. Let me caution the Senator from assigning any sort of anatomical label on this plan. Even in the bowels.

Senator Andrews. My colleague from Maine has an unique sense of the obvious.

I do not want to use that to describe some of the things you have been doing in the BIA.

Mr. Sampsel. That is another area.

Senator Andrews. Do you not feel that you picked, as the head office, one of the places, you just said yourself, access to is extremely difficult.

We were offering Bismarck as a place, and certainly Billings is a good place, and Minneapolis is a good place. Here would have been better than Aberdeen.

Mr. **Sampsel**. All those considerations were reviewed. Jerry Jaeger, who was responsible for holding the field meetings, looked at that. We looked at the cost factors. We are going to provide the information for the record.

Senator **Andrews**. Yes, I appreciate that.

Mr. **Sampsel**. All the cost factors are there.

The fact of the matter is that while Aberdeen is hard to get to and we did have a facility there, it was less expensive. It is our feeling there should be less and less reason for tribes needing to get to Aberdeen for those types of services. If it is a little tough on the bureaucrat to go out and do his job, then I am sorry, as long as it saves the Government money.

Senator **Andrews**. I am not worrying about it being tough on the bureaucrats. But when you have to spend an extra day or two of tribal time, it gets pretty expensive to the taxpayer.

Either that or they sit in their ivory tower cooking up new ideas to insulate themselves from the tribes. That bothers me.

Mr. **Sampsel**. I do not think Aberdeen will be the think tank of the Bureau of Indian Affairs.

Senator **Andrews**. I see.

Senator **Cohen**. Senator Melcher.

Senator **Melcher**. Of the $16 million savings that you say, there are 372 reductions. That comes out to $43,000 per year, approximately. I suspect a lot of that is fringe benefits.

Mr. **Sampsel**. Our calculation is that on the savings, as a result of personnel, we average roughly $25,000 per position. That includes the fringe benefits and everything.

Senator **Melcher**. So there is $18,000 in fringe benefits?

Mr. **Sampsel**. No; the other savings result in cost consolidation and space consolidation, travel, telephone services, and other GSA supplied equipment.

Senator **Melcher**. Are these 372 individuals all located in these positions that you are moving around?

Mr. **Sampsel**. No; as a matter of fact at the current time we have approximately, and we are providing this for the record, 200-plus vacancies.

The exact impact of the 372 on some of those vacancies within those areas we do not know. But we do have a forecast by regional office and by office of the reduction of personnel. We are in the process now of entering into the general RIF notification so we can begin to work with those personnel to see if they are going to want to transfer. That will determine how many actually are required to be replaced.

Senator **Melcher**. Are any of the 372 located in Washington?

Mr. **Sampsel**. Yes.

Mr. **Fritz**. In terms of how many people are going to be affected, let me see. Well, of the 372, 102 are in Washington.

Senator **Melcher**. That leaves 270 out in the field?

Mr. **Sampsel**. Yes.

Senator **Melcher**. The 102 are here and service the eastern tribes; right?

Mr. **Fritz**. They service the eastern tribes. They also have functions, for example, out in Albuquerque where there are administrative functions.

There are some people located in the Boise Fire Center in Boise, Idaho. There are other folks located at other locations out there, but about two-thirds are in Washington.

Senator **Melcher**. Does the Alaskan Native Corp. approve of this?

Mr. **Sampsel**. That is an interesting question. I spent a lot of time with the Alaska Federation of Natives over the course of the last couple of months.

Senator **Melcher**. Either they approve or disapprove. I do not want to break it down by percentages.

Mr. **Sampsel**. I cannot answer for the AFN. Basically there was such a little change in the Alaskan situation that most of our discussion with the AFN over the last few months has been on the 1985 study.

Senator **Melcher**. Did Senator Stevens tell you they approve moving their function from Juneau to Portland?

Mr. **Sampsel**. We have not moved the function from Juneau to Portland.

Senator **Melcher**. What have you done?

Mr. **Sampsel**. The only function that has been moved from Alaska to Portland is the Metlakatla Tribe. That was at their petition and at their request.

Senator **Melcher**. So the only change for Alaska is something that has been approved by one group that would be involved?

Mr. **Sampsel**. That has been approved by the tribe involved. Metlakatla is the reservation.

Senator **Melcher**. You are going to leave Alaska alone except for that?

Mr. **Sampsel**. That is correct.

Senator **Melcher**. So we can forget about Alaska? They are taken care of? Two Senators are taken care of and all the natives are taken care of in Alaska and they got what they want; right?

Mr. **Sampsel**. I am not sure they got what they wanted. They were not affected by this rereorganization.

Senator **Melcher**. You left them alone; then? Does that say anything? You left them alone; right, except for what they wanted. Does that say anything?

Mr. **Sampsel**. I am not sure it does; no.

Senator **Melcher**. It says something to me.

Mr. **Sampsel**. Perhaps you would enlighten me.

Senator **Melcher**. Senator Stevens is the assistant majority leader. You let what would be affected by the assistant majority leader alone.

Mr. **Sampsel**. I can assure you there has been no partisan decision made in this realinement.

Senator **Melcher**. That is not partisan. That is the assistant majority leader. That is not partisan at all. That just says something.

Mr. **Fritz**. You can characterize it any way you want.

Senator **Melcher**. I would not choose to characterize it any way I want. I am stating facts.

The assistant majority leader would naturally have some interest if there were a protest from the Alaskan Native Corp. I am stating the facts. You left that alone. I am glad you did.

Now, moving on. What about services on health? Is this going to affect that? Do not tell me that the services on health will be the same because that is debatable.

But is this moving people who are giving the responsibility for health matters?

Mr. **Sampsel.** No; it will not impact the health services provided by the Indian Health Service.

Senator **Melcher.** They will be left alone?

Mr. **Sampsel.** IHS facilities have not been impacted.

Senator **Melcher.** So the big question will come down to whether there is a true savings here of $16 million and whether in making that savings you can carry out the rest of the trust responsibilities and the functions of the BIA?

Mr. **Fritz.** That is looking at it backward. What we are looking at is whether we carry out our trust responsibilities in light of the demands and needs of American Indian people.

If we can carry that out utilizing the $16 million as a goal that we established, then I think that is the correct way to characterize that question.

But I would not necessarily say that we look at the savings first.

Senator **Melcher.** I am not looking at it backward at all. I am going on the testimony we received earlier. Assistant Secretary Smith testified to this committee that they did not recommend this reorganization in the preliminary budget figures. He was told to come up with a $16 million savings and that he found this was the way to save $16 million.

I am not looking at it backward. I think you are. Is that not the way it happened?

Mr. **Fritz.** I was not here. I would not know.

Senator **Melcher.** That is the way it happened according to the testimony. Are you not aware of the testimony?

Mr. **Fritz.** I am aware of the testimony but I am not aware of those facts. So I cannot answer.

Senator **Melcher.** You are aware of the testimony?

Mr. **Fritz.** Yes.

Senator **Melcher.** Can we accept it as a fact?

Mr. **Fritz.** I would not know.

Senator **Melcher.** Pardon me?

Mr. **Fritz.** I am saying that is a judgment.

Mr. **Sampsel.** I was here, Senator.

Senator **Melcher.** Wait a minute. Mr. Fritz, can we accept the testimony of Assistant Secretary Smith as fact?

Mr. **Fritz.** If it is testimony, yes.

Senator **Melcher.** It was. Do you want to add to this, Mr. Sampsel?

Mr. **Sampsel.** Yes, Senator, I was here during the period of the 1983 budget preparation.

We did not recommend in the initial budget a reorganization based upon a fixed dollar amount. We did, however, get a fixed dollar amount reduction as a passback.

That then directed a piece of reorganization. But I became committed—and so did Ken Smith. We had talked before about changing and realining the Bureau and trying to get to a consolidation of regional offices.

The $16 million pushed us, of course.

Senator **Melcher**. You described the $16 million as about $25,000 per individual of the 372.

Mr. **Sampsel**. That is the method by which we calculate.

I believe that was also attached to reprograming.

Senator **Melcher**. Yes; but in this whole process is it not true that you will have to pay for moving these people?

Mr. **Sampsel**. Yes, absolutely. That is calculated in the $7 million cost of implementing the $16 million reduction.

Senator **Melcher**. So for fiscal year 1983 what will it be; a $9 million savings?

Mr. **Sampsel**. No; we will be able to, if the reprograming is allowed, reprogram in the neighborhood of $5 million of that cost of implementation in the 1982 program.

We would have roughly $1.3 million left in the 1983 budget. So you would have a net savings in 1983 of $14.7 million, which are round figures.

I do not want to take the time to get it specific.

Senator **Melcher**. You are talking about money that is available for fiscal year 1982.

Mr. **Sampsel**. Yes. It could be reprogramed.

Senator **Melcher**. Let us talk about what is left for fiscal year 1982 combined with fiscal year 1983.

Mr. **Sampsel**. It is $7 million.

Senator **Melcher**. We are going to have a net reduction, then, of $9 million savings; right?

Mr. **Sampsel**. No; we have a 1982 approved budget, as you well know.

If we reprogram that, we cannot consider that a cost savings in our 1983 cycle. That is not the way it is done.

Senator **Melcher**. I know, but in actual savings that is what happens.

Mr. **Sampsel**. No; it is not what happens. You have 2 fiscal years. You have $5 million in expenses in 1982 and you have another million-plus in 1983.

So, the net reduction in 1983 is the cost of the 1983 dollars as calculated against your savings. So you are roughly looking at $14 million plus as an actual savings in 1983 and in 1984, 1985, and 1986 and thereafter an anual reduction in the cost of overhead of $16 million.

Senator **Melcher**. I am being practical about this.

You are going to spend money out of fiscal year 1982 that you might not otherwise have spent?

Mr. **Sampsel**. That is correct. If we could not readjust in 1982 and we were doing it within the confines of a fixed fiscal year, then we would have a $16 million reduction and a $7 million cost for a net benefit of a $9 million reduction in that year and $16 million thereafter.

Senator **Melcher**. We are saying the same thing. Only you want to get it into the proper timeframe when it actually would be spent or saved?

Mr. **Sampsel**. Yes.

Senator **Melcher**. In the one area alone of whether or not this is viewed as true savings, because naturally tribes that we are involved with will look to going to Aberdeen as an added expense and they would assume there would be some reason to go to Aberdeen, I think you would be better advised, if you think you would have to come up with a $16 million saving, to comb through the Bureau of Indian Affairs—principally here in Washington—and their functions to carry out that.

Could you not see where you could get that $16 million out of your functions here? I am not talking about what you do for the Eastern tribes because as I see it, the functions for the Eastern tribes were not decreased but were probably, through lots of reasons, stay the same approximately, or might even increase.

The functions in my area in Montana, so far as energy development is concerned, and resource development, will call upon the BIA for more assistance. Consequently perhaps this will be more expense.

I feel that very many of the tribes would not object to combing through the bureaucracy right here at the top levels and finding those savings.

If you have a $25,000 average saving in salary which will produce $43,000 in savings, then I guess you could, by about the same arithmetic, phase out, through attrition, some $40,000 slots which would mean you would save $60,000 per slot. You would not have to move them. You would not have any moving expenses. It would be attrition.

I think the tribes and the Congress would not have much objection to that. We always feel that if you have to make cuts you have to make them on the top level here. There are plenty of people here. But we do not know that you have all that much excess people in the area offices. Certainly the tribes have not been consulted adequately on this.

Mr. Chairman, I would like to submit for the record some of the comments of Montana tribes on this particular subject. We have not found any tribes in our area for this at all. I suspect for the Alaskan situation they are all pretty much opposed to it.

Senator COHEN. Without objection, so ordered.

[The letter follows:]

MONTANA INTER-TRIBAL POLICY BOARD,
Billings, Mont., June 4, 1982.

Hon. JOHN MELCHER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MELCHER: The Indian Tribes of Montana wish to reaffirm their unanimous commitment in opposition to the proposed realignment of the U.S. Bureau of Indian Affairs. The tribes feel that it is important at this time to clarify this commitment and to emphasize the fact that they have not altered their original stance in this regard, which was outlined in our February 25, 1982 letter to you.

The tribes emphatically reject the recently-proposed concept of a regional office in Aberdeen, S.D. with a "satellite office" in Billings. The tribes remain insistent that anything less than a full-fledged Area Office in Billings will not adequately meet their needs. The Tribes' reasoning in this regard remains consistent with that expressed in our February 25, 1982 letter.

Basically, the Montana Tribes have never received satisfactory answers, if any answers at all, for the following questions that have been posed to BIA:

1. In specific terms, how will the Area Office realignment bring about "better, more efficient and more expeditious service" (in the words of John Fritz) to Montana Tribes?

2. Specifically, how will the realignment bring about cost savings to both the taxpayers and the Montana Tribes?

3. Specifically, what new authority will be delegated to the agency level?

4. What is the definition of the term "consultation;" how has consultation been conducted with the Montana Tribes?

5. What are specific plans for cost reductions within the BIA central office?

The Montana Tribes appreciate very much your continued efforts and support for our concern in this matter.

Sincerely,

William P. Yellowtail, Jr.,
Acting Executive Director.

Senator Melcher. I want to thank you, Mr. Chairman.

Senator Cohen. I have a number of questions dealing with the whole subject of Indian education. I will submit those for the record.

Without objection, so ordered.

[The questions and answers follow:]

Indian Education Under the BIA Reorganization Plan

1. In 1978, with the enactment of Title IX of P.L. 95-561, Area Directors were removed from line authority in education. This was done in large part to eliminate the widely differing policies for education that had developed in the field. Under the proposed reorganization, policy authority will be redelegated from the Director of the Office of Indian Education, where it now lies, to the newly-appointed Assistant Regional Education Directors who will serve in the field. I have several questions about this proposal:

Question. Doesn't this decentralization of education authority run the risk of recreating the widely disparate education policies that prompted the centralization of education authority only three years ago?

Answer. Under the proposed reorganization, each Assistant Director, Office of Indian Education Programs, will continue to delegate the authority to implement the Director's education policies and programs within the respective jurisdictional boundaries. The Director, as called for in P.L. 95-561 and the corresponding regulations, will still develop policies on a Bureau-wide basis. The Assistant Directors will now be in regional locations instead of in Washington, D.C.

Question. What kinds of safeguards does the BIA intend to build into this system to prevent a lack of coherence from creeping back into Indian education policy? In other words, how will overall policy be coordinated under the new system?

Answer. An annual program management plan will be developed with each Assistant Director and will be monitored by the Director. Specific program activities in the plan will have corresponding time lines. Under the Bureau's performance appraisal system, each Assistant Director's job performance will be assessed according to the attainment of specific education goals and objectives established by the Director.

Question. Will the Central Office be required to visit the Regional Education Directors and, if so has provision been made for funding this travel?

Answer. The Director and Deputy Director, Office of Indian Education Programs, will make periodic monitoring and program evaluation visits to Regional locations. Travel funds for purpose will be available from the Central Office budget.

2. Another facet of the policy embodied in P.L. 95-561 was the encouragement of local control of education and of local participation in the resolution of disputes. With the appointment of Regional Education Directors, comes a potential for greater intervention in local decisions.

Question. What is being done under the plan to ensure that the Regional Education Directors do not interfere with or inhibit local control of Indian education?

Answer. Public Law 95-561 and the implementing regulations clearly specify the relationship between agency superintendents for education and local school boards.

Assistant Directors provide supervisory direction to agency superintendents for education in the implementation of education programs. Day to day implementation of school programs will be retained by the local school boards and agency education offices.

3. The removal of the Assistant Directors of Education from Washington, D.C. to the field creates a risk that—through simple geographical separation—important decisions regarding policy and dissemination of information will be delayed or lost.

Question. What safeguards are being planned to ensure that delays caused by distance do not hobble this system?

Answer. Specific communication procedures between the Director and the Assistant Directors will be developed to include direct mail out of directives, workshops and seminars, teleconferences planned on a weekly basis, periodic on-site visits by the Director and, as needed, daily telephone and computer contacts.

It should be pointed out that most day-to-day school operation activities are already specified in law regulations, and BIA policy manuals. These activities are currently being carried out at the school and agency levels.

4. Certain functions within education, such as access to the student enrollment system, operate better when they are centralized.

Question. Under the planned reorganization, what functions will remain centralized? Will any functions not now under central authority be brought under it?

Answer. The Office of Indian Education Programs realizes the importance and necessity of centralizing certain functions with respect to the administration of selected education programs. The overall responsibility for the Indian School Equalization Program (ISEP) and the student enrollment system will remain under the authority and direction of the Director. The sub-function of auditing student counts under ISEP is being proposed for implementation at the regional level under the supervision of the Assistant Directors. The Tribally Controlled Community Colleges program will continue to be administered by the Central Office.

Fund allocation and program coordination for such programs as Exceptional Education, Federal title programs, Johnson-O'Malley, and Early Childhood programs will be retained at the Central Office level. Program implementation activities, such as project approval, monitoring, and technical assistance for these programs, will be delegated to the Assistant Directors. The Central Office is not proposing to assume any field-related activities or functions.

5. I have several questions about the effect of the realignment and contracting for education services:

Question. Will the Office of Indian Education Programs in Washington be vested with contracting authority? How will contracts be approved (i.e. in what sequence?)

Answer. Contract authority will continue to be provided as a support service to the Office of Indian Education Programs at appropriate agency and area/region levels. Currently, a contract application for an education program is submitted directly to the education official responsible for the program. After education's approval, the contract application is forwarded to the area contracting office for processing.

Question. Will the Regional Education field offices be charged with monitoring education contracts? Will these offices be charged with monitoring the performance criteria that BIA intends to write into the education contracts?

Answer. The Regional Education Service Centers will be responsible for those education contracts previously administered by area education offices. These are education programs that do not operate within the jurisdictional boundaries of an agency education office. The agency education offices will continue to be responsible for those education programs and contracts operating within the agency's boundaries. Therefore, for their respective education contracts, Regional Education Service Centers and agency education offices will monitor contractors for adherence with the contract terms and criteria.

6. I have several questions about how the Bureau will fill the new Assistant Education Director positions: First, I understand that the BIA intends to advertise for the positions.

Question. Will the qualifications required include prior experience with BIA education?

Answer. The Office of Indian Education Programs intends to advertise for the Assistant Director positions. These positions are to be classified within the Education Program Administrator (EPA) series. Because of Federal job requirements and qualifications, the Bureau cannot specifically require previous BIA education experience.

Question. When will the positions be advertised and when will they be filled?

Answer. Currently, the Assistant Director positions are being reviewed for classification purposes. It is anticipated that the positions could be advertised by July 1, 1982, and a final selection made by August 15, 1982.

Question. Will the positions be regular G.S. (i.e. Civil Service) or will they be S.E.S. (Executive Branch appointments which do not have job protections)? What grade will the positions have?

Answer. The positions will be advertised as regular GS (merit pay) appointments. The Office of Indian Education Programs has recommended a GS-15 level. Final determination will be made after the classification process is completed.

7. What functions will the Regional Education Offices perform? Please advise the Committtee in your answer where these functions are now being performed.

Answer. The Regional Education Offices will perform the same function now assigned to the Area level, except that the Assistant Director function headquartered now in Washington will be headquartered at the Regional Offices.

Question. Will the functions of the Juneau, Albuquerque, and Navajo offices be the same as the others?

Answer. Yes.

Question. Where will these offices report?

Answer. Navajo will report to the Assistant Director located at Navajo, while Juneau will report to the Assistant Director in the Northwest, and Albuquerque will report to the Assistant Director in the Western Region.

8. I have several questions about education in what is now the Eastern Area:

Question. Which office will have the Regional Education responsibility for this Area?

Answer. The Assistant Director, Southern Regional Education Service Center, located in Anadarko, Oklahoma, will have education responsibility for those education programs operating in which is now the Eastern Area. Current plans call for the Assistant Director to locate a portion of the Southern Regional Education Service Center staff with the Eastern Technical Assistance Office.

Question. From which office will administrative support services be provided?

Answer. The Southern Regional Service Center.

Question. If education and administration for the Eastern Area are handled out of different regions, what steps are being taken to ensure coordination?

Answer. Education and administrative support services will not be handled out of different regions. Both will come from the Southern Regional Service Center in Anadarko.

Senator COHEN. It seems to me there is a question to be raised as to whether or not the concentration of policymaking here in the central office is now being reversed, after only 3 years, by going to a more decentralized concept for education. But, that would take a lot more time. We have a number of other witnesses today.

I would like to ask this. In the 1970's, I was advised that Indian tribes were included under the Ford administration in an OMB Circular, A-95. This circular designated the Governors of the States as clearinghouses for Federal programs.

By including the tribes, the circular allowed them to go directly to the Federal Government rather than through the States. I am told that OMB is now proposing to eliminate the tribes from the circular and that this request is going to go to the White House this afternoon.

Is BIA aware of this? Also, would you look into it and advise the committee about the status of the proposal? Also, either you or OMB can advise the committee on how the proposed change would further this policy of self-determination.

Mr. SAMPSEL. We appreciate the question. The answer is, no, we have not been contacted on that issue.

We will let the committee and your staff know immediately following this hearing. Thank you for bringing it to our attention.

Senator COHEN. Thank you, gentlemen. Your prepared statement will be placed in the record at this point.

[The statement follows:]

PREPARED STATEMENT OF KENNETH SMITH, ASSISTANT SECRETARY FOR INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

Mr. Chairman and Members of the Committee, thank you for the opportunity to discuss the Bureau of Indian Affairs reorganization. As an Indian raised in a reservation environment and a onetime tribal manager, I am particularly sensitive to the unique relationship that exists between the Federal Government and tribal governments. I am keenly aware that any organizatonal change should be weighed carefully to be sure that it maintains, rather than adversely affects, that unique relationship. This hearing, as well as the extensive consultation process leading to the announced reorganization, is a part of what we feel to be an open and pragmatic process by which the organization of the Bureau is evolving to meet the challenges that the future holds.

There are a number of compelling reasons for the actions being taken to realign the Bureau's middle management structure and for our proposed timing of those actions. Foremost, of course, is the impact of Public Law 93-638, the Indian Self-Determination Act, which has encouraged and strengthened tribal government participation in designing and contracting for the delivery of program services to the tribes. By FY 1981, about 25 percent or $213 million of the operation of Indian programs was performed under self-determination contracts. We expect this trend toward tribal rather than Bureau delivery of services to continue. Our FY 1983 budget projects an increase of eight percent over the FY 1981 level of contracting. The enactment of Public Law 95-561, the Education Amendments of 1978, continued the emphasis of Indian involvement through the creation of school boards and implementation of a system of employing teachers through contracts rather than as direct Bureau staff. In school year 1981-82, almost 2,000 out of a total of 7,400 Bureau educators were employed under this system. We expect that number of contract teachers to increase by as much as 1,000 in the 1982-83 school year.

The realignment proposal will achieve a savings of $16 million in operating costs in FY 1983 principally through the reduction of 372 Full Time Equivalent (FTE) staff years. The reorganization is designed to reduce Bureau overhead at mid-management levels, rather than affecting delivery of Federal dollars and assistance at the agency/tribal level.

The realignment is proposed to meet these needs by (a) modifying the Bureau's program delivery structure so as to facilitate service delivery through contracts and grants, (b) strenthening tribal and Alaska Native organizational capacities for engaging in contract and grant operations, (c) improving education program management at the field level, (d) improving technical services and assistance provided to tribes at agency level, and (e) reducing the number of the Bureau's mid-level offices rather than taking across the board cuts which would leave a larger number of offices weakened by arbitrarily constraining staffing levels.

In 1974, Congress established the American Indian Policy Review Commission. Member of Congress and distinguished Indian leaders were directed to conduct far reaching studies and interviews throughout Indian country on the role and structure of BIA.

One of the principal recommendations of that Commission was to replace the BIA's 12 area offices with six regional service centers. The role of the centers would be tailored toward technical service and assistance capabilities.

In 1977, the Secretary of the Interior asked the Assistant Secretary of Indian Affairs to conduct a study of the Policy Review Commission's recommendations.

That group recommended that the 12 area structure be retained until tribal governments could become more familiar with the, then new, Self-Determination Act.

Then in 1978 the Assistant Secretary established a management improvement project within the Bureau to carry forward the recommendations of his task force. The project set in motion the thrust of placing the operation of Indian programs under local tribe/agency control. It began the movement of mid-level operations into a technical assistance and oversight role.

My travels around Indian country further convinced me that tribal government could do many of the things BIA is doing just as well—and in some cases better.

Everywhere I went, I talked about the Federal budget cuts we would have to take and I heard repeatedly—"cut out area offices."

I could have asked task forces to make lengthy studies and reports, but I felt the matter had been studied enough so I moved on it. It was time to make a decision.

The objectives of the realignment reflect the current policies of the legislative and executive branches. A brief reiteration of stated objectives reveals the guiding philosophy of the realignment of the mid-level structure.

(*a*) *To modify the Bureau's program delivery structure to facilitate the ongoing evolution from direct delivery of services by the Bureau itself toward service delivery through contracts and grants undertaken by tribes and Alaska Native organizations.*—The development planning of service center organizational structures has taken into account workload factors and staffing standards. This process allows service center directors to adjust the allocation of staff to specific program and administrative areas depending upon the extent of services provided either directly or through the acquisition method which reflects to some extent tribal interest in contracts or grants. It is anticipated that some direct delivery of services will continue to be needed because of the number of small tribes which do not have the technical capacity to provide services effectively under the contract or grant method.

(*b*) *To strengthen Tribal and Alaska Native organizational capacities for engaging in contract and grant operations.*—The service center organization includes specific emphasis for strengthening the Bureau's contract and grants functions, including oversight and compliance, contract property management and contractor technical assistance. The increased number and dollar value of tribal contracts and grants makes it imperative that the relationship between the Bureau and its tribal contractors be founded upon consistent standards of planning, budgeting, program performance reporting and financial management.

(*c*) *To improve and strengthen education program management at the field mid-management level.*—The realignment includes specific provisions for placing Assistant Directors, Office of Indian Education Programs, in field locations where they will exercise line management responsibilities over the education program in one or more service center jurisdictions. This, it is felt, will substantially improve program direction in the field, significantly reduce the current span of control problems in line management and enhance program monitoring and evaluation.

(*d*) *To improve technical services and assistance provided to tribes at the agency level.*—The planned realignment provides for the continued decentralization of program operations and authorities to the agency level where feasible. The currently in-process revision of Public Law 93–638 regulations to emphasize grant acquisition of services will significantly contribute to this effort. Technical services and assistance provided from the service center will continue to include those specific resources which are best located at that level by reasons of economy of scale, non-delegable authorities, shortage of qualified personnel, etc.

(*e*) *To reduce Federal employment and overhead cost for Central Office and mid-level management operations.*—This realignment reduces the number of mid-level management offices from twelve to seven offices while reducing staff associated with such offices by approximately 270 FTE. In addition, Central Office staffing levels will be reduced by approximately 102 FTE, for a total of 372 FTE.

The planned period of consultation in regard to the realignment concept extended from February 20, 1982, to April 15, 1982. During this time consultation with the approximately 500 tribal governments served by the Bureau was conducted by senior executive personnel appointed as provisional regional directors of the proposed offices. The Bureau received, in addition, about 275 written comments during that period from tribes, inter-tribal councils, members of Congress and interested individuals.

Regional directors and superintendents notified tribes, held discussion meetings with them, and responded to concerns over the phone or in individual visits. Generally, the major concerns expressed in these meetings, as well as through mail and messages received in the field and in Washington, were similar. Tribes felt we had made reorganization decisions without consultation. Where the idea of a "concept open for discussion" was understood, and especially where changes were made in accordance with tribes' input, the feeling became less negative. Tribes served by an area office which was proposed to be closed or consolidated protested the idea of being cut off from Bureau service. In follow up letters and conversations, tribes' interest appeared to center on the idea of improved services at the tribal/agency level. On balance, tribal leaders appear to be waiting for more details on the specific effects on their relations with, and expectations of, the Bureau. Letters to and responses from the Washington office are readily available to the Committee. Input made at the regional level can be summarized and supported upon request.

Here are some of the specific changes that the Bureau has made in its original concept—primarily as a result of the consultation process. First of all, the location of the North Central Regional Service Center was changed from Rapid City to Aberdeen. This change was supported by the majority of the comments received from the North Central region. In addition, we have retained a field office in Billings, Montana, to provide closer technical assistance support to the Wyoming and Montana tribes, specifically for the trust and natural resources programs. We are, however, consolidating administrative activities in Aberdeen which will allow a substantial reduction in administrative overhead costs.

Secondly, we have changed the location of the Southern Regional Service Center from Oklahoma City to Anadarko, Oklahoma, in order to reduce our costs, remain in close proximity to those tribes for which we anticipate a continuing direct delivery of services will be needed for the future, and in recognition of the thrust of eastern Oklahoma tribes toward increased contracting of program activities.

Thirdly, we have changed the status of the proposed North Eastern Region. Minneapolis will be a field office reporting to the North Central Region and providing technical assistance to the tribes in the area previously supported by the Minneapolis Area Office. Concurrently, eastern tribes will be provided technical assistance support through a small technical assistance staff located in Washington, with agencies' administrative support provided by the Southern Regional Service Center. These changes are primarily due to consultation comments received from the eastern tribes, while the planned structure still supports the Bureau's efforts to reduce administrative overhead by consolidation of administrative support activities wherever possible.

For better management of education programs, underscoring the intent of Public Law 95-561, the reorganization will put five Assistant Directors of Education in the field with line authority for the day-to-day operations of the schools and other education programs in their regions. This will improve the education services and it will leave the Director and his Washington staff free to focus their attention on the broader aspects of policy, program directions and funding. It will also reduce the number of education personnel at the Area and Central Office levels. We have further refined the planning for regional education offices to achieve collocation in both a jurisdictional and physical sense with the Regional Service Centers.

We intend to strengthen agency activities in California as we phase out the Sacramento Area Office, and to insure that improved support for service to the northern California and central/southern California agencies is provided through the Regional Centers located in Portland and Phoenix respectively.

Let there be no mistake: our purpose in reorganization is not to withdraw Federal support. Our purpose is to encourage even greater tribal involvement replacing direct Federal staff involvement. Clearly, if self-determination is to become a reality, tribal governments have to take ownership of, and responsibility for, adequate Indian programs, as they can and wish to, in partnership with us in the Bureau and the rest of the Federal Government. We believe that what we have done in the way of reorganization is the best plan that could be worked out. We had to make some tough, hard decisions along the way. But we ask you to bear with us; to work with us in the implementation of the plan and I believe we will all benefit in the long run.

The Bureau is proceeding with planning and preparation of detailed implementation plans in anticipation of favorable action by the Appropriations Committees upon our reprogramming request. It is our hope that timely actions can be taken in order for us to facilitate this reorganization in the summer months to the extent possible.

At this time, we would be pleased to respond to the questions of the Committee.

Senator COHEN. Before proceeding to the next witness, I would like to have placed in the record a copy of a letter from the Secretary of the Interior to the chairman of the Subcommittee on Interior and Related Agencies regarding the need for realinement.

Without objection, so ordered.

[The letter with attachments follows:]

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

MAY 28 1982

Honorable Sidney R. Yates
Chairman, Subcommittee on
Interior and Related Agencies
Committee on Appropriations
House of Representatives
Washington, D. C. 20515

Dear Mr. Yates:

We are proposing a significant realignment of the Bureau of Indian Affairs. A realignment concept for the Bureau mid-level field office structure was announced on February 19, 1982, subject to such changes as might result from a planned period of consultation with tribal, congressional and other interested parties. That concept proposed to consolidate 12 area offices into six regional offices and two special program offices.

Need for Realignment:

There are a number of compelling reasons for the actions being taken to realign the Bureau's middle management structure and for our proposed timing of those actions. Foremost, of course, is the impact of Public Law 93-638, the Indian Self-Determination Act, which has encouraged and strengthened tribal government participation in designing and contracting for the delivery of program services to the tribes. By FY 1981, about 25 percent or $213 million of the operation of Indian programs was performed under self-determination contracts. We expect this trend toward tribal rather than Bureau delivery of services to continue. Our FY 1983 budget projects an increase of eight percent over the FY 1981 level of contracting. The enactment of Public Law 95-561, the Indian Education Act, continued the emphasis of Indian involvement through the creation of school boards and implementation of a system of employing teachers through contracts rather than as direct Bureau staff. In school year 1981-82, almost 2,000 out of a total of 7,400 Bureau educators were employed under this system. We expect that number of contract teachers to increase by as much as 1,000 in the 1982-83 school year.

The realignment proposal will achieve a savings of $16 million in operating costs in FY 1983 principally through the reduction of 372 Full Time Equivalent (FTE) staff years. The reorganization is designed to reduce Bureau overhead at mid-management levels, rather than affecting delivery of Federal dollars and assistance at the agency/tribal level.

The realignment is proposed to meet these needs by (a) modifying the Bureau's program delivery structure so as to facilitate service delivery through contracts and grants, (b) strengthening tribal and Alaska Native organizational capacities for engaging in contract and grant operations, (c) improving education program management at the field level, (d) improving technical services and assistance provided to tribes at agency level, and (e) reducing the number of the Bureau's mid-level offices rather than taking across the board cuts which would leave a larger number of offices weakened by arbitrarily constraining staffing levels.

Background:

In addition to the legislative mandates outlined above, Congress established the American Indian Policy Review Commission in 1974, providing for members of Congress and distinguished Indian leaders to conduct far reaching studies and interviews throughout "Indian Country". The Commission examined not only policy implications but the role and structure of the Bureau in implementation of policy as well. One of the principal recommendations of the Commission was that of consolidating the Bureau's current 12 area offices into six regional service centers, with their roles tailored toward technical service and assistance capabilities.

In 1977, the Secretary of the Interior instructed the Assistant Secretary - Indian Affairs to conduct a study of the Policy Review Commission's recommendations and to determine the desirability of implementing those recommendations in particular that dealt with reshaping the Bureau's middle management structure. The Assistant Secretary - Indian Affairs convened a task force of senior executives and professional personnel for this effort with specific emphasis on providing broad coverage of all aspects of current Indian program operations. Upon completion of that effort, it was concluded that the current mid-level structure should be retained for a period of time until tribal governments' capacity developed further under Public Law 93-638 auspices. Emphasis at that time was placed upon related recommendations of the Commission to strengthen agency level operations through the delegation of authorities and decision-making capabilities closer to tribal governments.

In 1978, the Assistant Secretary - Indian Affairs established a management improvement project within the Bureau in order to carry forward the recommendations of his task force. This effort encompassed sweeping reviews of area office structures and had the effect of redefining the roles of area and agency operations. It set in motion the thrust of placing the operation of Indian programs under local tribe/agency control and began the development of mid-level operations into a technical assistance and oversight role.

In the fall of 1981, the Assistant Secretary - Indian Affairs initiated an effort to consolidate and realign the Bureau's mid-level structure in a manner similar to that proposed by the Commission in 1976. Coupled with that effort was a thrust toward absorbing expected cutbacks in Federal funding of Indian programs in the Central Office and mid-level management functions in order to mitigate the effects of such reductions at the tribe/agency level. This effort led to the proposed realignment announced on February 19, 1982.

Objectives of the Realignment:

The objectives of the realignment as enunciated by the Assistant Secretary - Indian Affairs reflect the current policies of the legislative and executive branches. A brief reiteration of stated objectives reveals the guiding philosophy of the realignment of the mid-level structure.

(a) To modify the Bureau's program delivery structure to facilitate the ongoing evolution from direct delivery of services by the Bureau itself toward service delivery through contracts and grants undertaken by tribes and Alaska Native organizations. The development planning of service center organizational structures has taken into account workload factors and staffing standards. This process allows service center directors to adjust the allocation of staff to specific program and administrative areas depending upon the extent of services provided either directly or through the acquisition method which reflects to some extent tribal interest in contracts or grants. It is anticipated that some direct delivery of services will continue to be needed because of the number of small tribes which do not have the technical capacity to provide services effectively under the contract or grant method.

(b) To strengthen Tribal and Alaska Native organizational capacities for engaging in contract and grant operations. The service center organization includes specific emphasis for strengthening the Bureau's contract and grants functions, including oversight and compliance, contract property management and contractor technical assistance. The increased number and dollar volume of tribal contracts and grants makes it imperative that the relationship between the Bureau and its tribal contractors be founded upon consistent standards of planning, budgeting, program performance reporting and financial management.

(c) To improve and strengthen education program management at the field mid-management level. The realignment includes specific provisions for placing Assistant Directors, Office of Indian Education Programs, in field locations where they will exercise line management responsibilities over the education program in one or more service center jurisdictions. This, it is felt, will substantially improve program direction in the field, significantly reduce the current span of control problems in line management and enhance program monitoring and evaluation.

(d) To improve technical services and assistance provided to tribes at the agency level. The planned realignment provides for the continued decentralization of program operations and authorities to the agency level where feasible. The currently in-process revision of Public Law 93-638 regulations to emphasize grant acquisition of services will significantly contribute to this effort. Technical services and assistance provided from the service center will continue to include those specific resources which are best located at that level by reasons of economy of scale, non-delegable authorities, shortage of qualified personnel, etc.

(e) To reduce Federal employment and overhead costs for Central Office and mid-level management operations. This realignment reduces the number of mid-level management offices from twelve to seven offices while reducing staff associated with such offices by approximately 270 FTE. In addition, Central Office staffing levels will be reduced by approximately 102 FTE, for a total of 372 FTE.

Consultation:

The planned period of consultation in regard to the realignment concept extended from February 20, 1982, to April 15, 1982. During this time consultation with the approximately 500 tribal governments served by the Bureau was conducted by senior executive personnel appointed as provisional regional directors of the proposed offices. The Bureau received, in addition, about 275 written comments during that period from tribes, inter-tribal councils, members of Congress and interested individuals.

Regional directors and superintendents worked out their own plans for notifying tribes, holding discussion meetings with them, and responding to concerns over the phone or in individual visits. Generally, the major concerns expressed in these meetings, as well as through mail and messages received in the field and in Washington, were similar. Tribes felt we had made reorganization decisions without consultation. Where the idea of a "concept open for discussion" was understood, and especially where changes were made in accordance with tribes' input, the feeling became less negative. Tribes served by an area office which was proposed to be closed or consolidated protested the idea of being cut off from Bureau service. In follow up letters and conversations, tribes' interest appeared to center on the idea of improved services at the tribal/agency level. On balance, tribal leaders appear to be waiting for more details on the specific effects on their relations with, and expectations of, the Bureau. Letters to and responses from the Washington office are readily available to the Committee. Input made at the regional level can be summarized and supported upon request.

Realignment Funding:

Implementation of the realignment will not require the reallocation of FY 1982 funds from one budget activity to another or cause us to deviate from any finer level of program detail which might have been displayed in committee reports. We will, however, be using funds in ways which will differ from the object class descriptions contained in the Bureau's FY 1982 budget justification. The Department does not anticipate the need for additional funds during FY 1982 resulting from this realignment. Our present plans will mainly affect those funds directly related to personnel, office and equipment costs. Some of the funds originally programmed to defray such costs will instead be used for lump sum leave and severance payments, costs of moving equipment and office furniture and other expenses associated with the realignment. The current estimate of the cost of this realignment is $7,045,000. It is estimated that $5,580,000 will be incurred in FY 1982. Total costs have been estimated on the assumption that approximately 80 employees would retire requiring $400,000 for lump sum leave. We estimate 292 employees would be severed for a lump sum leave payment of $880,000. The 292 employees severed would receive approximately ten weeks of severance pay at their regular salary rate or approximately $1,565,000, a direct substitute for regular salary. Employee benefits and real estate costs for transferring employees would require an additional $3,300,000. Other costs would be for travel for relocated employees and for consultation purposes ($400,000) and transportation of office equipment and employee household goods ($500,000). Our proposal is to meet these costs principally by operating temporarily at personnel levels lower than originally budgeted ($5,245,000). If our realignment plan is executed with little delay, we estimate that $3,780,000 will be incurred in FY 1982 and $1,465,000 in FY 1983. If we are delayed in the implementation, however, more of the costs will shift into FY 1983. Finally, we propose to meet the remaining costs of $1,800,000 in FY 1982 through savings in communications, utilities, rent, contracting expenses, supplies, materials, and equipment.

The following table depicts the impact upon the FY 1982 budget by object class with explanatory notes. A functional breakdown of FTE by region is shown in Attachment A.

FY 1982 Personnel Services and Related Costs
(dollars in thousands)

FY 1982 Central and Mid-Level Financial Program:

	Budgeted	Current Estimate	Change
Personnel Compensation (Includes Lump Sum Leave and Severance Pay)	66,082	66,982	+900
	(Additional funding to defray lump sum leave for personnel. FY 1982 severance pay is a direct substitute for salary and is included within personnel compensation budgeted for FY 1982.)		
Travel and Transportation of Persons	3,000	3,400	+400
	(Increases associated with consultation process and employee relocation expense.)		
Transportation of Things	1,000	1,500	+500
	(Relocation costs for office furnishings and employee household goods.)		
Communications, Utilities and Rent	6,000	5,300	-700
	(Savings in rentals, utilities and communications costs.)		
Other Services	5,000	4,300	-700
	(Savings in contractual operating expenses.)		
Supplies and Materials	6,000	5,700	-300
	(Savings in reduced procurement of expendable supplies.)		
Equipment	1,000	900	-100
	(Savings in equipment procurement.)		
TOTAL	88,082	88,082	-0-

In summary, these are our best estimates of costs at this time. The total costs displayed for your consideration were based on high estimates and in actual practice should tend to be lower due to the number of vacancies estimated to occur during FY 1982 and 1983. Many of the proposed FTE reductions will be achieved through attrition, thereby lowering the overall costs cited in this letter.

Reductions Anticipated:

We expect our current realignment proposals to produce a reduction of 372 Full Time Equivalent (FTE) personnel from the Central Office and the mid-management field level, and $16 million of annual operating costs specifically associated with the consolidation, starting in FY 1983. The estimated FTE reduction specifically associated with the realignment, by organization, is as follows: Central Office - 102 FTE; Regional Offices - 173 FTE; and Regional Education Offices - 97 FTE. It should be noted that this FTE reduction is in addition to a general reduction of five percent in FTE and approximately $8 million in operating costs for the Central and Area Office operations already being taken for FY 1983, or a total reduction of these offices by approximately 500 FTE personnel and $24 million from FY 1982 levels.

Implementation:

In order to begin to effect these savings for FY 1983, our target dates call for implementation prior to October 1, 1982. An equally critical reason for that timing is to allow us to make early staffing decisions so that we can inform affected employees about their personal and career options. This, of course, means that our decisions should be provided at the earliest possible time in order to facilitate employee actions during the summer months in consideration of both employee morale and schedules for their school age children.

Concurrently with the submission of this reprogramming request, I am signing a Secretarial Order directing the Bureau to proceed with the proposed realignment as modified by decisions resulting from consideration of the consultation comments. A copy of that order is enclosed. The major changes from the original concept which are now reflected in the Secretarial Order are (1) elimination of the proposed Northeast Regional Office through consolidation of the area previously served by the Minneapolis Area Office with the North Central Region, and consolidation of the area previously served by the Eastern Area Office with the Southern Region; (2) location of the North Central Regional Office in Aberdeen, South Dakota, rather than Rapid City; and (3) location of the Southern Regional Office in Anadarko, Oklahoma, rather than Oklahoma City. The Bureau is now preparing detailed organizational changes in accordance with Department procedures and anticipates transfer of authorities from the area office structure to the regional organization structure by October 1, 1982. Final close down of the existing area offices and disposition of files, records, associated office equipment, etc., is expected to be completed prior to October 1, 1983. The regional implementation is phased to overlap the phase out of current area structure so that day to day business continues effectively and service to tribes is not impaired by the realignment process. Further details on FTE and savings to be obtained, together with the planning assumptions used in making the calculations, are shown in Attachment B.

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Attachment A

EXISTING AREAS VS. PROPOSED REGIONS SHOWING TENTATIVE
FUNCTIONAL BREAKDOWN OF FTE BY REGION 1/

Region	Executive Direction		Administration		Trust Responsibilities		Indian Services		Subtotal		Education		TOTAL	
	old Areas	new Region	old Areas	new Region	old Areas	new Region	old Areas	new Region	old Areas	new Region	old Areas	new Region	old Areas	new Region
uthern	12	8	82	70	54	39	46	23	194	140	2/	22	243	162
rth Central	7	6	160	128	128	111	69	40	364	286	2/	35	421	320
uthwest	6	5	79	67	49	54	28	11	162	137	2/	5	173	142
rthwestern	8	6	82	71	88	92	40	19	210	188	2/	21	241	209
avajo	2	2	135	134	78	52	35	21	250	209	2/	8	265	217
astern	5	5	135	95	54	95	61	35	255	230	2/	25	290	255
neau	2	1	89	68	40	24	25	38	156	131	2/	9	180	140
TAL FTE 3/	42	33	762	633	483	467	304	187	1,591	1,320	222 2/	125	1,813	1,445

1/ Figures show staffing pattern for both the 5% FTE reduction in the FY 1983 budget and the general FY 1983 overhead reduction, since regional organizations must reflect both reductions. The 5% and overhead reductions are separated by region on Attachment B.

2/ Office of Indian Education Programs FTE's not distributed by Region.

3/ FTE allocations for the proposed regional organizations (distributed on this chart by functions) are subject to further management review before final approval.

PLANNING FIGURES FOR FTE AND DOLLARS ASSOCIATED WITH BIA OVERHEAD COST REDUCTION

Proposed Organization and Location	Current Combined Area Offices FTE	FTE/$ after General 5% Reduction in FY 83 Budget 1/	FTE/$ proposed after Overhead reduction 1/	FTE/$ Savings to be achieved as part of Overhead reduction 1/
Southern Regional Service Center Anadarko, Oklahoma (Anadarko Area, Muskogee Area, and Eastern Area)	194	182 ($6.8M)	140 ($5.2M)	42 ($1.6M)
North Central Regional Service Center Aberdeen, South Dakota (Aberdeen Area Office, Billings Area Office, and Minneapolis Area Office)	364	345 ($12.8M)	285 ($10.6M)	60 ($2.2M)
Southwest Regional Service Center Albuquerque, New Mexico (Albuquerque Area Office)	162	154 ($5.7M)	137 ($5.1M)	17 ($0.6M)
Northwest Regional Service Center Portland, Oregon (Part of Sacramento Area Office and Portland Area Office)	210	196 ($7.3M)	188 ($7.0M)	8 ($0.3M)
Western Regional Service Center Phoenix, Arizona (Phoenix Area Office and part of Sacramento Area Office)	255	242 ($9.0M)	230 ($8.6M)	12 ($0.4M)
Navajo Nation Special Program Office Window Rock, Arizona	250	237 ($8.8M)	209 ($7.8M)	28 ($1.0M)
Juneau Special Program Office Juneau, Alaska	156	148 ($5.5M)	131 ($4.9M)	17 ($0.6M)
Education Regional Offices (Staff distribution not determined)	222	211 ($7.9M)	125 ($4.7M)	86 ($3.2M)
Regional Subtotals 2/	1,813	1,716 ($63.9M)	1,445 ($53.8M)	270 ($10.1M)

Attachment B

Proposed Organization and Location	Current Office FTE	FTE/$ after General 5% Reduction in FY 83 Budget 1/	FTE/$ proposed after Overhead reduction 1/	FTE/$ Savings to be achieved as part of Overhead reduction 1/
Central Office including Education and other dollar savings not associated with personnel	891	847 ($31.5M)	746 ($25.6M)	102 ($5.9M)
Bureau Total Central/Area overhead reduction 2/	2,704	2,563 ($95.4M)	2,191 ($79.4M)	372 ($16.0M)

1/ Dollar levels reflect a national planning factor of $25,000 per FTE, plus other projected savings in non-personnel object classes. Actual levels ultimately approved for each Region may vary depending on regional differences and priorities established within each Region. Regional dollar levels cited above are rough indicators for comparison purposes, and are not FY 1983 regional budgets.

2/ Totals may not add precisely because of rounding.

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

Order No.

Subject: Reorganization of Bureau of Indian Affairs Field Offices

Sec. 1 Purpose. This Order is issued to describe a reorganization of the Bureau of Indian Affairs' Area Office structure. This Order establishes five Regional Service Centers and two Special Program Offices for Bureau functions including education and abolishes the existing twelve Area Offices, the functions of which will be transferred to the new regional service centers and special program offices. This reorganization of the Bureau is designed to reduce the cost of administering the Bureau's field programs; restructure the field offices to provide improved technical service capability; and to improve the efficiency of implementing Bureau programs and services.

Sec. 2 Authority. This Order is issued in accordance with the authority provided by Section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262) and by Executive Order 10250 as amended.

Sec. 3 Regional Service Centers and Regional Education Offices. Regional Service Centers shall be established in Aberdeen, South Dakota; Portland, Oregon; Phoenix, Arizona; Albuquerque, New Mexico; and Anadarko, Oklahoma. Regional Education Offices shall be collocated with the Regional Service Centers.

Sec. 4 Special Program Offices. Special Program Offices shall be established in Juneau, Alaska, and Window Rock, Arizona. Special Program Education Offices shall be collocated with the Special Program Offices.

Sec. 5 Functions of Regional Service Centers. The regional service centers provide program direction and supervision to agencies and other detached field offices within their jurisdiction and are responsible for formulating and promulgating regional applications of national policies; for monitoring and evaluating operating programs and offices to ensure program effectiveness and efficiency, attainment of goals and objectives, and consistency in application of and conformance with established policies; and for obtaining or providing adequate technical advice and assistance to support field operations. The regional service centers are responsible for providing administrative support services to education personnel and offices, and for operating administrative systems and/or performing administrative functions that can be done more economically and efficiently on a regional basis. The Directors of Regional Service Centers shall report directly to the Deputy Assistant Secretary - Indian Affairs (Operations).

Sec. 6 Functions of Special Program Offices. The special program offices provide program direction and supervision, and are responsible for formulating program applications of national policies to Bureau activities on the Navajo Indian Reservation and in the State of Alaska. They are responsible for monitoring and evaluating operating programs to ensure program effectiveness and efficiency; for providing administrative and program technical services; for providing administrative support to education offices; and for representing the Bureau in its dealings with tribal, Alaska Native, and state organizations within their jurisdiction. The directors of special program offices shall report directly to the Deputy Assistant Secretary - Indian Affairs (Operations).

Sec. 7 Functions of Regional and Special Education Program Offices. The regional and special education program offices are responsible for formulating and promulgating regional applications of national policy for their jurisdictional area; for directing, supervising, and facilitating program execution; for monitoring and evaluating program services and systems; for formulating budgets and financial programs; and for providing technical assistance and advice to subordinate programs and organizations. They directly operate, manage and supervise the operation of education programs under their jurisdiction. Regional and Special Education Program Offices shall report to the Director, Office of Indian Education Programs through an Assistant Director, Office of Indian Education Programs.

Sec. 8 Administrative Provisions. Subject to the authority of the Assistant Secretary - Indian Affairs, the Deputy Assistant Secretary - Indian Affairs (Operations) shall be responsible for the implementation of this Order. The Deputy Assistant Secretary - Indian Affairs (Operations) shall take the steps necessary to transfer functions, equipment, property, and funds required to implement the provisions of this Order in accordance with Departmental procedures. All such transfers shall be done in such a manner as to ensure that disruption of services to agencies and tribes will be minimal and to ensure that the regional service center capability is in place prior to the phase-out or transfer of authority from existing area offices.

Sec. 9 Effective Date. This Order is effective immediately and will lapse upon incorporation of its provisions into the Departmental Manual or six months from issue date, whichever comes first.

Jim Watt

Secretary of the Interior

Date:

MAY 28 1982

Senator COHEN. Our next witness is David Gusky, legislative director of the National Federation of Federal Employees.

We have at least five or six more witnesses this morning. We will try to conclude the hearing by 12:30. So I request the remaining witnesses to try to summarize their testimony so that we can complete this hearing by 12:30.

Mr Gusky you are accompanied by Charles Bernhardt and Patricia Thomas of the National Federation of Federal Employees.

STATEMENT OF DAVID GUSKY, LEGISLATIVE DIRECTOR, NATIONAL FEDERATION OF FEDERAL EMPLOYEES, ACCOMPANIED BY CHARLES BERNHARDT, LABOR RELATIONS SPECIALIST, AND PATRICIA THOMAS, LEGISLATIVE LIAISON, NATIONAL FEDERATION OF FEDERAL EMPLOYEES

Mr. GUSKY. Thank you, Mr. Chairman.

Mr. Chairman and committee members, we appreciate the opportunity to appear today to discuss the proposed reorganization of the Bureau of Indian Affairs.

The National Federation of Federal Employees represents 10,000 BIA employees, many of whom work in the area offices and in the Office of Indian Education Programs.

Let me begin by saying NFFE is adamantly opposed to the Bureau's revised reorganization proposal. It would severely disrupt the entire operation of the BIA by reducing services to the Indian tribes, escalating Government outlays, and further damaging employee morale.

The BIA is congressionally mandated to fulfill the Government's legal obligations and trust responsibilities to American Indians.

The Bureau provides both technical and educational assistance through its 12 area and education offices which are centrally located in places accessible to the tribes they serve.

The area offices provide a wide range of technical expertise upon which many tribes have come to rely.

The Billings area office in Montana, for example, provides services to approximately 33,000 Indians whose tribes hold in trust over 7 million acres of land. Of this, 420,000 acres of land has been authorized for irrigation projects, a hydroelectric powerplant, timber production, ranching, and farming.

The land also yields oil, gas, coal, and other minerals in substantial quantities. In addition, the Billings office provides professional expertise in such areas as water rights, geology, and mining.

In addition to the technical service areas, the BIA offers educational assistance through curriculum and program development, administration of postsecondary, secondary, and elementary schools, and maintenance of school facilities and equipment.

An Office of Indian Education Programs is located at each of the 12 area offices. While currently responsible for 210 elementary and secondary schools, 14 dormitories and approximately 42,000 Indian children, their workload promises to increase as more Indians seek better education.

Nevertheless, the Bureau plans to "realine" the OIEP and area offices in a manner which ignores their growing responsibilities by reducing service capability.

The subject of reorganization in the Bureau of Indian Affairs has been reviewed and discussed for many years, both by the Indian tribes and the Bureau's administrators.

The American Indian Policy Review Commission made an indepth study of the BIA in 1976 which was followed by a BIA reorganization task force report in 1978. Both studies were conducted over extended periods of time and were aimed at improving services and management. Detailed recommendations on such areas as policy-making, program planning, management information, and decision-making were presented.

The latest BIA proposal, however, bears no resemblance to the logical approach of past reports. The decision to realine the Bureau appears to stem not from an attempt to improve either management or services, but simply to save money.

In fact, Assistant Secretary Ken Smith indicated during a hearing before this committee on February 26, 1982, that the Office of Management and Budget was the driving force behind the cost-saving reorganization. Mr. Smith testified that during the final stage of the budget process, OMB instructed the BIA to achieve a $16 million saving through the reduction of personnel at area offices. In effect, OMB was telling BIA to reduce costs regardless of the impact on policy and operations.

Unfortunately, in trying to find the required savings, the BIA failed to allow sufficient time to study feasible alternatives or to adequately consult the affected parties.

Although the short consultation period was minimally extended, the Bureau was unable to respond to comments and questions which could have improved the final reorganization plan. During the initial consultation period, for instance, NFFE submitted questions and comments to the BIA but we have received no reply to date.

The Bureau's intransigence in responding to questions and failure to consider constructive comments has resulted in a plan containing questionable cost savings and little detail on how it would be implemented. Late in February, the BIA presented its first "realinement concept." Twelve area and education offices would be consolidated into six regional service centers at which four regional education offices would be located. While each regional center would be responsible for a larger geographic sector, it would be staffed by fewer personnel and be less accessible to the tribes.

As a result of the greater distance from the technical staff to the tribes, services would have been seriously reduced. Furthermore, in those situations where travel is essential, transportation costs would have increased dramatically. These disadvantages were expressed to the BIA by NFFE on March 29.

The original realinement proposal received scant support. Because of pressure brought to bear upon the BIA by Congress, tribal leaders and NFFE, the Bureau emerged with a revised plan which mystically realized the same personnel reductions and $16 million savings found in the original plan. But despite a few cosmetic changes, the new proposal again failed to justify exactly how money would be saved or services to the tribes improved. Rather than satisfying our concerns, the new plan merely multiplied them.

The revised plan contains few if any improvements. The BIA now envisions five regional service centers to be located at Aberdeen, S. Dak.; Anadarko, Okla.; Albuquerque, N. Mex.; Phoenix, Ariz.; and Portland, Oreg.

Personnel levels would not increase above those originally planned, although geographic sectors would still be enlarged.

The BIA would also create two new special program offices in Juneau, Alaska, and in Window Rock, Ariz., as well as two new field offices in Minneapolis, Minn. and Billings, Mont.

These offices would be considerably smaller than the present area offices and the BIA has yet to adequately define their areas of responsibility. The duplication or even the omission of services is very likely. It is NFFE's strong belief that the BIA should not randomly disperse its area and education offices as proposed.

We urge the BIA to take the time to adequately study geographic considerations instead of making haphazard decisions.

Finally, we feel that the Bureau would do well to heed the findings of the BIA Task Force on this subject. The report of 1978 noted that:

> . . . elimination of Area offices would create more structural and management problems than it would solve, causing excessive spans of control and thrusting the BIA Central Office into day-to-day operations far away from Bureau field offices.
>
> . . . Nor would six regional service centers be able to do the work that must be performed on intermediate levels.

The same logic applies to the elimination of OIEP offices which we hope will remain as presently located.

Despite the extensive changes proposed by the BIA, there remains a paucity of information on the new realinement concept and its implementation.

Functional areas are not defined, service objectives are not apparent, and cost and employee analyses are generally valueless and inadequate. Nevertheless, the BIA continues to arrive at a $16 million savings through the elimination of 372 personnel slots. NFFE has repeatedly requested information on the estimated costs associated with the realinement, but we have yet to receive an answer.

The accounting process used to justify the $16 million savings from the realinement is incomplete. The reprograming request, for example, submitted by the Department of the Interior to the chairman of the House Interior Appropriations Subcommittee contains highly questionable data.

The request lists an "FY 1982 Personnel Services and Related Costs Chart" in which personnel-related costs appear to be pulled from thin air and set artificially low. The same can be said for the estimated travel and transportation costs for individuals and equipment. The assumed fiscal 1982–83 savings from the reorganization are also farfetched. Reductions in communications, utilities, supplies, materials, and services are estimated to yield $1.8 million in savings. Conveniently, this offsets exactly the initial personnel-related costs of the reorganization.

The BIA must still address a number of critical questions before it can make credible accounting and policy decisions. Information on

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personnel who would transfer, retire early, or be subject to a reduction-in-force, is essential.

Employees have not even been surveyed concerning their future employment plans in face of a reorganization, which makes it virtually impossible to estimate severance, annual leave, and early-out pay.

The margin for error is substantial and should the implied savings fail to materialize, the Bureau could be faced with a mad scramble at the end of the fiscal year to find extra funding. Indeed, this is a strong possibility in light of the initial expenses which must be incurred to implement any reorganization.

BIA personnel would also face hardship in the reorganization. RIF's could dramatically escalate and morale within the BIA, which is already at an all-time low, could be destroyed for employees confronting an uncertain future.

Most employees have made commitments to their communities. They have ties which make it difficult to uproot a family and move several hundred miles to secure a new job. Furthermore, even if employees were willing to put their families through such a move they would find it economically impossible.

Many own homes on which they are paying mortgages of 7 percent to 10 percent. In today's depressed housing market, it is difficult to sell a house and even harder to purchase a new one. For these reasons, many employees would decline an offer to move to the new regional service centers, instead opting for severance pay or early retirement.

As a result, a new work force would have to be recruited in many locations and the training costs as well as the lengthy period of lowered productivity would be extremely expensive.

Many employees fear that favoritism on the part of the new acting regional directors will affect their chances of receiving job offers in the new structure.

In the past, the Department of Interior has tried to assure us that employees displaced in a reorganization would be placed within the affected agency or elsewhere in the Department. However, in this case, most of the displaced employees would be Indians with excepted appointments. They cannot immediately qualify for assignment to competitive positions elsewhere in the Department or another Government agency; a fact which the BIA must consider in taking any action which would result in large-scale dislocations and displacements.

NFFE hopes that the BIA will also be aware of the high unemployment in those areas where area offices are to be eliminated or converted to smaller facilities. For example, unemployment in Sacramento, where an area office would be abolished, is almost 11 percent. Displaced personnel would experience great difficulty in finding jobs in a city which already has many State and Federal workers on the unemployment rolls.

NFFE has yet to find any logic or intelligence to the BIA's approach to the reorganization. As a result of the apparently unstructured and hasty manner in which the realinement plan and revision were conceived, it is virtually impossible to find any improvement over present operations.

The effect of 12 area offices simultaneously reorganizing could set essential services back years. Change or reorganization of the Bureau for the purpose of improved services and management does not have to be disruptive. It can yield positive results if done in consultation with the tribes and employees.

However, the realinement plan offered by the BIA is not designed to address service and management improvement. It simply is an attempt to save money with no regard for the impact on Indian tribes.

NFFE, therefore, hopes the committee will immediately take appropropriate action to insure a thorough review of this reorganization proposal. Under the BIA's present schedule, the reorganization plan will begin implementation soon. Unless it is halted it could cause irreparable harm to the area office structure and to the tribes the BIA serves.

That concludes our statement. We will be happy to answer any questions.

Senator COHEN. Thank you, very much.

Frankly, you were here in the audience this morning and you indicated just now that you have yet to receive any answers to the questions. We are in the same boat as well.

We have not had an opportunity to get those cost figures, to have an opportunity to really review whether we will achieve what, in fact, is proposed to be achieved and whether we will pay a price in the reduction or diminution of services in the process. So, we are looking forward to getting these cost breakdowns. I can assume that you will have an opportunity to secure them from the committee as well.

But beyond that, we will look at it. Frankly, I think we have talked a lot about reorganization with the BIA for years and years. I would have to agree with Senator Melcher—and as stated by Mr. Sampsel—that the initial motivating factor was the saving of money.

That is not to suggest that most reorganizations do not come about through a desire to save money. If that, in fact, coincides and intersects with a promotion of a better policy, then I think that is something that we ought to support.

Whether it does that remains to be seen. I can assure you that your group and those that you speak for will have an opportunity to look at the detailed figures as they were presented to the committee.

Mr. GUSKY. We appreciate that, Mr. Chairman.

Mr. BERNHARDT. Senator, let me correct something that the Deputy Assistant Secretary indicated. He said that in the area of education—and I know that is something you said you were going to be directing questions on—that the Bureau is moving to having contract teachers rather than direct Bureau staff.

I want to make sure that everyone understands that the contract teachers under Public Law 95-561 are Bureau of Indian Affair employees and are recognized as such under the contract we have with the Bureau.

Senator COHEN. I thank you for that comment. We thank you for your testimony.

Our next two witnesses will testify as a panel.

We have Elmer Savilla, executive director, National Tribal Chairman's Association, and Ella Mae Horse, recording secretary, National Congress of American Indians.

Mr. Savilla.

STATEMENT OF ELMER SAVILLA, EXECUTIVE DIRECTOR, NATIONAL TRIBAL CHAIRMEN'S ASSOCIATION, ACCOMPANIED BY DOTTIE STARKS, NATIONAL TRIBAL CHAIRMEN'S ASSOCIATION

Mr. SAVILLA. Thank you, Mr. Chairman.

I have with me this morning Dottie Starks, who along with myself has been in contact during the last 2 weeks with almost every tribe that the Bureau has under their jurisdiction.

I would ask that my prepared statement be placed in the record.

Senator COHEN. Without objection, so ordered.

Mr. SAVILLA. First of all, Mr. Chairman, the membership of the National Tribal Chairmen's Association consists of tribal governments of the federally recognized tribes.

This morning we are representing 149 of those federally recognized tribes.

We urge this committee to insist that the Department of the Interior stop the implementation of the reorganization activities and commence drafting a reorganization plan which would be in full consultation and cooperation with the tribes.

This morning we heard testimony from the Department of the Interior which indicated that consultation was fully carried out to a satisfactory manner.

This morning I have to take issue with that because at a previous hearing on the House side Mr. Sampsel was asked specifically by Congressman Yates why they were going ahead with their reorganization plans when there was so much tribal opposition. The answer at the time was given that as far as he knew there was no tribal opposition. So, as a result of that statement, we have made special efforts to round up tribal opinion. We do have opinions from all over the country, including Alaska.

They alluded this morning that things were fine in Alaska. I am here this morning to say that it is not fine in Alaska because two of the biggest corporations, which Ms. Starks, made contact with, basically say they object to the realinement because there was no consultation and they have been asking for information about the realinement plan itself. They have not heard from it.

The Alaskan Native Corp. very specifically objects. The Craig IRA, the Tlingit-Haida Tribe both oppose the realinement.

Senator COHEN. What is the nature of their objections? Aside from the fact that they have not been consulted, what is it?

Mr. SAVILLA. They are questioning the cuts that BIA made at the area level in Alaska. Now they say that the agency personnel are being eliminated in the Southeast, Fairbanks, and Anchorage.

The question which has not been answered is this: Is the savings for this paying for the realinement?

The native communities are to receive 85 percent indirect cost support for contracts. In relation to that is the other 15 percent going to pay for the realinement?

They have some questions like this and they say the communications have been bad with the area director in the past. He does not inform the tribes. They see no improvement in that system in the future.

Senator COHEN. Excuse me. Do you have the specific complaints so that you can submit them to us?

Mr. Savilla. Yes. They are included in our prepared statement.

Senator Cohen. We can review them and inform the BIA personnel.

Mr. Savilla. The Tlingit-Haida fear the realinement will cost more than the Bureau admits. That is one of our concerns also. The $16 million from the start seems to be a magic number. In spite of the number of months of study that has gone on, that $16 million figure has not changed, not one bit, either up or down.

It seems that if a comprehensive and intelligent study was made of any reorganization, whether it is an organization or a company, then the figure would fluctuate either up or down, depending on conditions. But that $16 million magic figure just remains constant. Therefore, we do question that quite a bit.

I cannot go too much farther without saying that the lack of consultation has been not at all. The tribes throughout the country have sent their telegrams and letters in. In the package there will be copies of telegrams from all the Great Lake tribes and the Montana tribes.

The inter-tribal council has a resolution in the package. It also points to the fact that they are still confused and they are still asking questions which they have not received answers about the meaning of the consultation and how it will affect them and what services they can expect and so on. There are a whole range of things.

Just being sure about it, the Bureau has always required tribes in getting grants or contracts to have a full, well thought out feasible plan.

In the implementation of their policies, no such plans are ever made. We had this in the tribal management corps 2 years ago where they imposed great restrictions on the tribes before they could receive one of these managers.

But yet their plan was shot full of holes right from the beginning. The National Tribal Chairman's Association did try to get them to develop a plan. We have tried this last year to get them to develop a plan for consultation. Each time we have been rebuffed. We have been told they are developing a plan of their own. They have relied, not on that plan, but on haphazard consultation.

They told the area directors to go out and talk with the tribes. But the tribes themselves as they have listened and heard the area directors, have not heard anything meaningful.

In California the director just got up and made a speech with them about how it was going to happen. There was no reference to input or changing. They were just told what was going to happen. So, the same thing has happened not only in the lower 48 States, but in Alaska also.

I believe the lack of consultation is the primary reason the tribes oppose this reorganization. I agree with you that nobody can oppose reorganization. We have all known this for years that there has been a problem.

The Policy Review Commission studied this and pointed out tribal recommendations, but they did not want it done in this matter at that time. I was also part of that process. We envisioned a well thought-out plan and not a sudden hatchet chopping job such as has been done here.

We have suggested several times, to the Department of the Interior, that we think there should be a task force of tribal people and Bureau

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people and whoever else, like congressional people, to sit down together. In a short time they could come up with a plan that would be acceptable to everyone.

We believe that more of a consultation should take place and not be done in a vacuum and a fait accompli saying:

> "Here, this is what we have done and this is how it will take place."

Tribes have a nature. You have to understand the thinking of Indians. They do not react immediately. I might be an exception. But they usually listen. Many times this is taken by outsiders as approval when they merely are thinking about it. Unfortunately by the time they do decide on an answer, sometimes it is too late. That case seems to be holding true now.

Let me talk on behalf of the small tribes in this country. Probably 85 percent of the tribes in this country can be classed as small with no means of providing their own administration. Many tribes in California and in Washington State, for instance, canot even afford to pay salary for a full-time tribal chairman. So, we have talks about beefing up tribal administration. What tribal administration? Without a chairman and without a paid full-time person there is no administration.

These tribes continually get left out. California, for instance, historically and especially since 1953, have had the lowest area office budget. They have had nothing to work with. They have had no progress at all, at least in the area office, since its beginning.

It still is that way. They are underdeveloped. They are trying for their chance and the means are being taken away from them. The agency in Sacramento says that instead of beefing up the agencies there are RIF's taking place. We heard talk this morning about technical assistance being delivered.

Yet, the tribes, as late as last year, asked that OTAT not be limited, but moved out to a more accessible area to the tribes. They need that technical assistance training.

But OTAT was eliminated. Last week I think to add insult to injury on top of all this, 24 GS-4's and GS-5's at the law enforcement center at Brigham City, were RIFed. They were replaced with GS-12's and GS-13's.

These RIFed personnel were women. Many of them were heads of households with children to care for. They suddenly were left with no income. They were replaced by GS-12's and GS-13's to do clerical work.

The package will also contain newspaper articles about that. One of the gentlemen actually told us about being the highest paid clerical worker in the country of over $40,000 to do clerical work.

I think that is, in this day and age, and with the feelings expressed by the administration about caring for people, I think that is a particularly low blow to the Indian people of this country. Where is the Indian preference that we worked so hard for? It is completely ignored.

I spoke yesterday with BIA personnel. I was assured that these people would be taken care of. But we have been assured of that before.

I think that before anything happens and before any RIF's take place, that Indian preference ought to be fully implemented and not after the fact.

We have those people sitting in menial jobs dragging down $40,000 a year. It is not only a slap in the face for the Indian people. It is a slap in the face for all of the American taxpayers. You and I and everybody else is a taxpayer. It should not be allowed to take place.

I am trying to keep this short, Mr. Chairman. I am trying to get anything pertinent mentioned.

We have contacted every area, that is, the BIA area regions in the country. Without exception, our talks over the telephone have been that they oppose the reorganization in this manner. It is not that they oppose the reorganization idea, but they wish it done in a timely, intelligent, and cooperative manner. On that basis, I would defer to the National Congress of American Indians.

I would be happy to answer any questions you may have.

Senator COHEN. Thank you. Your prepared statement will be inserted in the record at this point.

[The statement follows. Testimony resumes on p. 167.]

Testimony on the Proposed
FY 1983 Bureau of Indian Affairs Reorganization Plan
Presented By
The National Tribal Chairmen's Association
To The
Senate Select Committee on Indian Affairs
June 11, 1982

Mr. Chairman and Honorable Members of this Committee; my name is Elmer M. Savilla and I am the Executive Director of the National Tribal Chairmen's Association. Our membership presently consists of the tribal governments of 149 federally recognized tribes. For the purposes of testimony for the subject hearing today I believe that what I will say here is also the views of 90% of all the federally recognized tribes. I want to start by emphatically stating that the NTCA categorically opposes the BIA reorganization as ordered by Secretary Watt on May 28, 1982 and as announced by Assistant Secretary Smith.

We urge this Committee to insist that the Department of the Interior immediately stop their implementation of reorganization activities and commence drafting a reorganization plan in full consultation and cooperation with the tribes.

Our reasons for the adamant opposition to the present plan are numerous and we welcome the opportunity to expound on them.

Assistant Secretary Smith and his staff, when repeatedly questioned by officials as to why they are carrying out their plans in spite of tribal opposition, have consistently denied the existence of tribal dissatisfaction. On May 6, Deputy Assistant Sampsel, responded to that same question from Congressman Yates at a hearing saying that "as far as he knew, there was not a tribe in the country that was now opposed to the reorganization plan." In truth, then and now, tribal positions are against this plan.

Lack of Consultation.

Repeatedly, the Department of the Interior has promised "meaningful" consultation with the tribes. As early as March of 1981 NTCA has suggested and recommended to Interior that their method of consultation was not satisfactory to the tribes and periodically during the year several consultation methods were presented to BIA. Each time we were told that the BIA was developing their own plan.

Several times during the year NTCA complained of the lack of consultation on several key issues which changed national BIA policy. Each time Mr. Smith would explain that there had simply not been enough time to consult with the tribes. On the reorganization issue the basic plan was already developed before tribes were contacted. So called "consultation" meetings were sporadically held and tribes were not told in meeting notices that the meetings would be for consultation purposes. These meetings were quickly called and consisted of Area staff merely passing on the developed material.

Tribes in California report that no consultation on the reorganization took place, and that the meetings consisted of the Area Director making a speech to them and no dialogue or exchange of ideas took place. The tribes remain unsure of what the impact of reorganization will be on service delivery. They are confused and angry and do not believe the BIA assertions that 16 million dollars will be saved while improving BIA service. This is the general feeling throughout the lower 48 states and Alaska.

Need for Realignment.

Secretary Watts letter of May 28 to Congressman Yates cited reasons for the realignment. No one who knows the inherent administrative problems within BIA could not agree that there is a need for improvement, as numerous studies, audits, and tribal complaints attest to. Mr. Watts cites as one reason the apparent success of P.L. 93-638 contracting with tribes. Almost every tribe which contracts under P.L. 93-638 has serious problems with 638 policies. He also cites P.L. 95-561, the Indian Education Act, but fails to explain why this Act creates a need for realignment. In fact, tribes have objected continually since 1981 to the administrations new policy on downgrading the BIA commitment to Indian education, which has been exemplified by the unilateral closing of Indian schools again in complete disregard of tribal opinion. We believe that the proposed realignment is part of a planned policy to remove Indian education as a trust responsibility of the BIA. In fact, Mr. Smith has publicly stated that he does not believe that Education is a trust responsibility of the federal government. The NTCA disagrees with Mr. Smith on this point.

Mr. Watt also cites the recommendation of the Policy Review Commission as justification. While the tribes did agree that there was a need for a realignment, they did not envision it to be done as it is. Top heavy administrative personnel and authoritative Area Directors were the principal targets of tribal dissatisfaction.

The tribes favored a plan that would remove the line authority and responsibility from the Area Offices and place them at the Agency levels where tribes could have more control They saw the Area Offices as being roadblocks to decision-making and contract approvals.

Tribes do want the authority and responsibility placed at their local BIA Agency. They view the Regional Offices, as proposed, as being only a change of names of offices and the reduction of Area Offices from 12 to seven offices as almost a certain guarantee that service will not improve. Travel for tribes to the Regional Offices will be much more expensive and difficult. Communications with contract personnel will deteriorate. As one example, the California tribes say that the BIA has in the past been delinquent and lax in monitoring Sacramento Area contracts and grants over the last two years. Pressure from the Inspector General has caused them to do so now but has caused problems to tribes who are suddenly required to bring contracts and grants up to date or face cancellation of them. The tribes believe that by transfer of these responsibilities to Phoenix, and to Portland a move of over 700 miles, will only aggravate the situation and no improvement in service will be accomplished.

Technical Assistance Service Diminished.

Area Office technical assistance personnel will be relocated to special service centers. Critical trust-related services such as Forestry, Irrigation, Water Rights, etc., are planned to be scattered at various locations. Tribes which which were previously only hours from resource specialists will now be days away. In many cases these resource matters need immediate attention and it is feared that increasing demands for these special services will cause a lack of proper attention to detail and a lessening of quality service. The alternative of course is to allow the tribes to be able to contract for technical assistance as needed. This is an example of the sort of thing that could be worked out in a cooperatively developed plan. ~~[illegible]~~

~~to these technical assistance as needed. This is an example of the sort of thing that could be worked out in a cooperatively developed plan.~~ The added distances to travel to these technical assistance centers will make it impossible to hold consultation meetings except on a specially-arranged meetings basis.

Administration and Personnel.

The BIA has announced that "the reorganization is designed to reduce the cost of administering its' field programs; to improve technical service capability; and to improve efficiency of implementing Bureau programs and services."

These are worthy goals, and ones that the tribes endorse totally. But it is difficult to agree with the proposed method of accomplishment. Already, decisions are made which threatens to eliminate hard-won Indian programs and advantages.

In at least one location, an Area Office has been told by Central Office to "locate" at least $500,000 to effectuate a close-down of that Area Office. We think that is not far-fetched to believe that this money might likely be taken out of established Indian program services.

In another location, 24 lower GS grade employees (clerical) received RIF notices on June 4 and are scheduled to be replaced by GS 12-13 non-clerical types. In addition, the 24 RIF'ed GS 5 and 6's are all Indian persons, and only one of the replacements is Indian thereby making a mockery of Indian Preference. If these are examples of the kinds of cost reductions and efficiency improvement in store, then the Indian people are in greater danger than ever before. NTCA believes that these serious instances need to be further investigated.

It appears to be a tribal concensus that the consolidation of Area Offices will mean travel budget problems for both the tribes and the BIA. The move to fewer Regional Offices, and resultant larger service areas appears to be an effort to save BIA money without a regard for tribal problems. The greater travel distances also provides a reason for further limiting of contacts with the tribes.

Small Tribes Will Be Affected Most.

In any type of reorganization the ones who would be the hardest hit would be the small tribes such as exist mainly in the west. Many small tribes in California and Washington State have no administrative money much less money for travel expenses, hence they tend to get left out from consideration because they cannot afford to send a representative to meetings. California has, since 1953, had the smallest Area Office budget yet had the largest number of service tribes. There are currently 84 federally recognized tribes in California and almost all tribes say that the reorganization plans will split the North from the South, effectively destroying the tribal unity which has been so long in development. The tribes have complained for years of the poor service delivery by the Sacramento and Riverside offices of BIA. One result of that poor service is that most Tribes have not been able to develop economically or administratively. Now they are told that they need to be self-sufficient. They are still waiting for their turn.

The California tribes feel that the BIA is ducking their responsibility by just moving out instead of practising BIA self-improvement. Local conditions and situations will deteriorate even more if the BIA moves out of state before accomplishing their mandate to help the small tribes. NTCA adds its' voice to theirs in demanding that the BIA live up to its responsibility to the to the western small tribes.

Mr. Chairman, because of the high intensity of tribal feeling against the reorganization plan we do have a great quantity of background material which will be submitted later, with your permission, as part of our package of testimony which will verify the great amount of tribal opposition. Those documents will include statements made to NTCA by tribal chairmen, and Resolutions from tribes and Intertribal groups. All opposing papers are either recently developed or have been reaffirmed after Interior's statements of "no known tribal opposition." They all have the same general theme of:

1. No consultation was held by the BIA.
2. There is still a general misunderstanding of the ambiguous reorganization plan.

In summary, Mr. Chairman, we look on this hearing as our last hope of changing or stopping the Administrations' resolve to effectuate these sudden and traumatic changes which are thinly disguised as "budgetary savings." In the face of already devastating FY 82 budget cutbacks in tribal programs it seems to be a cruel cold-blooded corporate-style position which is being forced on the tribes who up to now have been extremely patient, hoping that the Administration would recognize the special status of the American Indian tribes.

We request that this Committee disapprove of the further implementation of the BIA realignment plan and direct that the Department of the Interior comply with mandates for consultation in the development of a new and workable reorganization plan.

Respectfully submitted,

for The National Tribal Chairmen's Association

TRIBAL POSITIONS ON BIA AREA OFFICE REALIGNMENT AS OF JUNE 9, 1982

National Tribal Chairman's Association
1010 Vermont Ave., N.W. Suite 910
Washington, D.C. 20005-4949

Billings Area

Blackfeet: Made a verbal agreement with Assistant Secretary Smith to put the tribe in the new Portland Regional Office. This has not been confirmed yet by the BIA to the tribe.

Travel to Aberdeen or Portland will be much more difficult for the tribe, especially for individual members who formerly travelled to Billings to discuss specific problems and issues with Area Office staff. This will now be impossible. Tribal government and program expense will greatly increase since plane travel will have to replace car travel.

Consultation on the realignment was begun with tribes after the fact, rather that prior to planning.

The proposed realignment will decrease effectiveness of the Tribe's decision making capacity for education purposes and planning, specifically regarding its tribally controlled community college. Blackfeet opposes P.L. 95-471 being included in the realignment plan and recommends that its program decision making center remain in Washington, DC.

Blackfeet opposes the realignment of the BIA education field services as constituting a reduction in the special government-to-government relationship between tribes and the U.S. government. (See attached Resolution)

Communications with the BIA: The existing problems with communications between the tribes and Billings Area Office make improved communications with a new regional office, serving 10 states and many more tribes, highly unlikely. Blackfeet cannot specify the problems further until more information is received on the realignment's implementation. There has been no analysis done by BIA with the tribes in this regard.

Blackfeet recommends that the Billings office handle the more local direct services to tribes (such as oil, gas, water, etc.)or that the tribes deal directly with Washington, DC on these issues.

Contract Administration: The BIA has provided no assurance that there will be money available for tribes to contract many of the title programs now being phased out or cut over 1982-82.

Services to Tribes: Blackfeet sees no improvement in delivery of services to tribes by the realignment as proposed.

Ft. Peck: This tribe deferred to the Montana Inter-Tribal Policy Board position and resolutions on the issue (see attached).

Northern Cheyenne: This tribe opposes the realignment with the consolidation of the Billings and Aberdeen Area Offices and the merger of Northern Cheyenne and Crow field offices.

Northern Cheyenne requested, but did not receive from BIA, clarification of the intent to reorganize with investigation into its impact on tribes.

Northern Cheyenne passed a tribal resolution recommending the following:

National Tribal Chairmen's Association
1010 Vermont Ave., N.W. Suite 910
Washington, D.C. 20005-4949

Tribal Positions on
BIA Area Office Realignment

1. That the Billings Area Office be streamlined and retained with, at minimum, the following: services protecting the unique tribal land status, jurisdiction and resources essential to tribes, including legal services, trust services, and natural resources professionals.

2. That the local field agency be retained at Northern Cheyenne with authorities and functions upgraded to all budget approval, procurement, loan and other appraisal functions, financial management authorities, contract administration, personnel assistance and expanded realty functions including title and record sections.

3. That the proposed reorganization plan is grossly vague and inconclusive in intent, and thus, recommends further investigation and review.

4. That abolishing or consolidating the area offices does not resolve the serious need for competent technical assistance and training services to complement and enhance tribal capabilities in such areas as hydrology, jurisdiction, law enforcement, engineering, geology and trust functions.

5. The consolidation of area and field offices will limit or stop Northern Cheyenne's ability to:

   a. Continue negotiations with the State of Montana for reconstruction of the Tongue River Dam and resolve its water rights dispute.

   b. Upgrade and expand its ability to complete and implement the land use plan for reservation growth and economic stability.

   c. Regulate and control reservation natural resources threatened by existing proposed energy development action in Southeast Montana.

   d. Retain significant cultural identity in a rapidly changing area with further development of resources.

Montana Inter-Tribal Policy Board

This Inter-tribal organization and its member tribes oppose the loss of the Billings Area Office (See attached resolutions).

Minneapolis Area

Red Lake Chippewa: Opposes the realignment. No consultation. What was called consultation was a mockery by piggy backing the realignment issue on other issues, i.e. boarding school closures (with hearing held at the same time in the field.)

Minneapolis area tribes within the Great Lakes Intertribal want all Area Offices abolished with funds going to the agencies to administer services to tribes. Area Office and proposed Regional Offices are overloaded with low performers in administration.

Contract Administration: realignment would add more bureaucratic levels to go through (specialist, etc.) Even the BIA staff in that Area have voiced this opinion.

The BIA's priority is its personnel employment and retirement money. In presenting the plan in February, BIA's first priority was saving $16 million, second priority was to negotiation with unions, third was meeting with tribes.

On April 3 Roy Sampsel went to Red Lake with four BIA people for "consultation" with tribal officials. They did not go to the Chairmen's office once during the visit, but came instead to monitor tribal elections.

Great Lakes Intertribal Council

Travel: It is presently hard for tribes to get to Minneapolis. It will be much harder to get to Aberdeen. Minneapolis area office staff are already under travel restriction to emergencies. Consolidation of area offices to Aberdeen appears to mean far worse travel budget problems for BIA and tribes. The move to fewer regional offices with larger service areas appear to be an effort to save BIA money and provide an excuse for further limiting contact with tribes.

Contract Administration: Contract negotiations will require going to Aberdeen. Minneapolis area is grossly underfunded compared to other regions (i.e.,Portland). Realignment may make parity of funding worse than it is now.

Communications between tribes and BIA: Now deteriorating. New staff at the Aberdeen regional office, probably senior regional officers from Aberdeen regional office, probably senior regional officers from Aberdeen area, won't be conscious of Minneapolis area needs. Already poor communications through the mail, will worsen greatly, (response time for requests, clarifications, policy, etc.)

Services to Tribes: Will deteriorate. Adding all 29 tribes and 4 intertribals to those of other states with fewer regional office staff, especially for 638 contracting is ridiculous. It is already difficult to negotiate 638 contracts just going to Minneapolis.

Eastern Area

Choctaw: USET is negotiating with BIA for an Eastern service Center in the Washington, DC area. This may remedy the travel problem foreseen by tribes having to go to Anadarko Regional office.

Contract Administration: Will not be improved by the reorganization. Opposes 638 contracting going to grants.

Realignment is not cost effective. BIA has not shown tribes, nor Congress where realignment will mean a real cost savings and improvement of services to tribes.

USET : (Resolution 82-105) supports concept of its 5/18-19 meeting with BIA to create an Eastern service Center in Washington, DC area with direct line of authority to Deputy Assistant Secretary of Operations. To include adequate staff in the office for provision of proper services to the expanding Eastern service population.

USET requests the opportunity to assess service provision capability of this new center after sufficient time of operation.

Alaskan Native Corporations: Many feel that the realignment and the phasing out of BIA education responsibilities is the BIA (federal government's) way of proposing eventual termination of the Alaskan Native Corporations.

Sitka: (Andrew Hope). Objects to realignment. NO CONSULTATION. This is violation of clear congressional intent when tribes have to run to Congress to find out what goes on. R. Sampsel was in Anchorage in late April on another issue, Tribes asked then about the realignment. Sampsel responded "it is a concept, nothing is finalized, we'll get back to you." Received, last week, the BIA area office newsletter with a vague confusing statement about the realignment. This is all Sitka has heard or seen.

Last year BIA made cuts at area level. Now it is eliminating agencies (Southeast, Fairbanks, Anchorage). Is savings from this paying for the realignment? Native communities only are to receive 85% indirect cost support for contracts. Is the other 15% going to pay for the realignment?

Communications between tribe and BIA: Already very bad communications with Area Director who does not inform tribes of what is happening (example, the realignment). Sees no improvement. No BIA staff persons are losing jobs except in the schools being transferred to the state. Too early to really assess.

If BIA's mission is to get technical assistance to the village corporations, on economic development, this is unrealistic, since BIA staff has no knowledge of business and therefore is not eligible to provide this service.

Contract Administration: Very concerned that it will worsen. Not informed on the specific line of authority planned for Contracts. Sitka is now a year behind on Johnson O'Mally contracting.

Recommendation: That Regional Offices be limited to contract support to tribes and remaining authority be given to tribes at the agency level, leaving trust responsibility functions in Washington, D.C.

Craig IRA, Tlingit-Haida Tribe (John Hope, President): Tribe opposes the realignment. They sent a letter to Senator Murkowsky (as of 6/8, not received by that office) expressing opposition. The tribe does not have enough information on which to base specific recommendations.

Tribal Services: The tribe fears that the realignment will cost more than the BIA admits. They are already receiving poor services, and have inadequate area office staff to handle them (4 people). The elimination of Alaskan agencies will hurt the provision of tribal services since these are the direct link to the tribes.

Transportation: If the area office stays in Juneau, transportation will probably not be adversely affected.

Contract Administration: BIA will have to boost its contract staff and has no funds to do this. Contract money does not now come to the tribes in a timely manner. The realignment poses even greater problems. The tribe has no information about an approval mechanism under the plan and cannot make accurate judgments now on its impact.

California

Trinidad Rancheria (Joy Sunderberg, Chairman): Tribe is opposed to the realignment. They presented an alternative plan to Assistant Secretary Smith at the NCAI mid-year conference. It recommended service centers for California tribes and the streamlining of BIA area office top management. No comment was received from BIA on this alternative plan which was viewed as a good plan by California Tribal Chairmen's Association and supported by Northwest Portland Area tribes (30 tribes support it in all).

Travel: Portland is at least an extra 100 miles travel for northern California tribes.

Funding: The realignment will cause great problems for tiny California tribes by breaking them up politically between states in competition for block grant monies. Small tribes Initiative, of the BIA, is only for tribes with populations of 400-1000. Most northern California tribes, even in consortium, do not have that big a population.

Communications between Tribes and BIA: Even if Northern California tribes join the Portland area confederation of tribes, they risk, once again, being lost in the shuffle.

Education: Northern California tribes have no reservation education programs except Title IV and Johnson O'Mally and must serve off reservation and urban Indians from other tribes as well. They foresee no improvement in the BIA's serving them through the realignment of its education field offices.

Contract Administration (Indian Child Welfare Act). There is definite need for a California advocate for Indians since the BIA counts only 150,000 Indians on reservations and their service populations are much greater.

California Tribal Chairmen's Association (CTCA): CTCA is unable to get a concensus from California tribes. Southern California tribes are already disgusted with the poor relationship with the Sacramento Area Office and appear to feel that moving it to Phoenix could not make things worse. Such a move might strengthen the San Diego Agency. Northern California tribes adamently oppose the realignment as planned.

Travel: California tribes have been unified on some issues because of their ability to get together geographically with the Area Office. The reorganization will split the state in two. Travel to Portland will cost an additional $130 one way for northern tribes and at least $160 one way airfare to Phoenix for southern tribes. Tribes must take planes where they formerly used cars. This will be the first time California tribes have experienced geographic or cost difficulties in meeting with the BIA officials. It will destroy the unity already developed.

Consultation: No consultation on the realignment was held. Only a speech by Mr. William Babby was given with no handout materials or dialogue with tribes.

Contract Administration: Not enough information yet has been received to form a position. However, BIA has been delinquent in monitoring its contracts and grants with tribes over the last two years. It is only doing it now because of pressure from the Inspector General's Office. California tribes feel that the move of the Area Offices to Phoenix and Portland will not improve the situation. If authority is provided to the agency offices, some improvement might be possible.

Communications between tribes and BIA: Consultation with BIA and tribes is fraudulent now. The consolidation was done to save money with no proof of improvement in services to tribes. This may terminate the 84 California tribes who are statutory, not treaty, reservation communities.

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645

Western Union Mailgram

4-035281S131002 05/11/82 ICS IPMBNGZ CSP IRNB
1 7155883324 MGM TDBN LAC DU FLAMBEAU WI 05-11 0236P EST

GREAT LAKES INTER TRIBAL COUNCIL INC
BOX 9
LAC DU FLAMBEAU WI 54538

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

7155883324 MGM TDBN LAC DU FLAMBEAU WI 155 05-11 0236P EST
ZIP
CONGRESSMAN SIDNEY YATES CHAIRMAN HOUSE
INTERIOR SUBCOMMITTEE
ROOM B 308 ROHB
WASHINGTON DC 20515

DEAR CONGRESSMAN YATES:

THE BUREAU OF INDIAN AFFAIRS HAS PRESENTED TO THE HOUSE INTERIOR SUBCOMMITTEE A REORGANIZATION PLAN WHICH IT SAYS IS SUPPORTED BY THE INDIAN TRIBES.

OUR TRIBE HAS NEVER BEEN CONSULTED REGARDING THIS REORGANIZATION, NOR HAVE WE BEEN SHOWN THE EFFECTS SUCH A REALIGNMENT WOULD HAVE ON OUR TRIBE AND THE SERVICES IT RECEIVES FROM THE BUREAU OF INDIAN AFFAIRS. WE FEEL THAT UNDER THE BUREAU OF INDIAN AFFAIRS TRUST RESPONSIBILITY AND THE INTENT OF PL93-638, OUR INPUT SHOULD HAVE BEEN SOUGHT REGARDING THIS PROPOSAL. THE ST CROIX TRIBE IS OPPOSED TO ANY RESTRUCTURING OF THE BUREAU OF INDIAN AFFAIRS UNTIL WE ARE INFORMED ABOUT THE IMPACTS OF THE PLAN AND OUR INPUT HAS BEEN SOUGHT.

WE ASK THAT YOU AND YOUR COMMITTEE GIVE THIS ISSUE YOUR FULLEST ATTENTION.IMMEDIATE ATTENTION.
VERY TRULY YOURS,
EUGENE TAYLOR, CHAIRMAN, ST CROIX CHIPPEWA TRIBE

1442 EST

MGMCOMP MGM

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645

western union Mailgram

4-036084S131002 05/11/82 ICS IPMBNGZ CSP IRNB
1 7155883324 MGM TDBN LAC DU FLAMBEAU WI 05-11 0244P EST

GREAT LAKES INTER TRIBAL COUNCIL INC
BOX 9
LAC DU FLAMBEAU WI 54538

RECEIVED
[illegible]
NTCA

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

7155883324 MGM TDBN LAC DU FLAMBEAU WI 177 05-11 0244P EST
ZIP
CONGRESSMAN SIDNEY YATES CHAIRMAN HOUSE
INTERIOR SUBCOMMITTEE
ROOM 308 RHOB
WASHINGTON DC 20515

DEAR CONGRESSMAN YATES:

IT HAS BEEN BROUGHT TO OUR ATTENTION THAT THE BUREAU OF INDIAN AFFAIRS HAS REPORTED TO THE HOUSE INTERIOR SUBCOMMITTEE THAT BY AND LARGE INDIAN TRIBES ARE IN FAVOR OF BIA REALIGNMENT. OUR TRIBE WOULD LIKE TO TAKE THE TIME TO EXPRESS OUR VIEW.

IT IS THE POSITION OF OUR TRIBE TO ADAMANTLY OPPOSE THE BIA REALIGNMENT FOR THE FOLLOWING REASONS:
1. OUR TRIBE HAS NOT BEEN CONSULTED RELATIVE TO REALIGNMENT.
2. OUR TRIBE DOES NOT UNDERSTAND WHAT REALIGNMENT MEANS TO OUR MEMBERSHIP.
3. OUR TRIBE DOES NOT KNOW WHAT EFFECT THE PROPOSED REALIGNMENT WILL HAVE ON OUR AGENCY AND AREA OFFICES.
4. OUR TRIBE HAS NOT HAD ANY INPUT IN THE BUREAU REALIGNMENT.
5. OUR TRIBE FEELS THAT THE LACK OF INPUT FROM OUR TRIBE IS A BREACH OF THE BUREAU'S TRUST RESPONSIBILITY.

IN CLOSING, WE TRUST YOUR OFFICE WILL GIVE THIS SERIOUS CONCERN, IMMEDIATE ATTENTION.

THANK YOU FOR YOUR ASSISTANCE.

SINCERELY
GORDON THAYER, CHAIRMAN, LAC COURTE OREILLES TRIBAL GOVERNMENT

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MIDDLETOWN, VA. 22645

western union Mailgram

MAY 13 1982

4-035159S131002 05/11/82 ICS IPMBNGZ CSP SWCA
1 7155883324 MGM TDBN LAC DU FLAMBEAU WI 05-11 0234P EST

GREAT LAKES INTERTRIBAL COUNCIL INC-ONEIDA
TRIBE OF WI MP
PO BOX 9
LAC DU FLAMBAU WI 54438

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

7155883324 POM TDBN LAC DU FLAMBEAU WI 141 05-11 0234P EST
PMS CONGRESSMAN SIDNEY YATES
CAPITOL ONE DC

IT IS OUR UNDERSTANDING THAT THE BIA HAS REPORTED TO BOTH HOUSE INTERIOR SUBCOMMITTE AND TO YOU THAT INDIAN TRIBES BY ENLARGE ARE IN FAVOR OF THE BIA RE-ALIGNMENT. THE ONEIDA TRIBE OF WISCONSIN HOLDS POSITION TO ADEMANTLY OPPOSE THE BIA RE-ALIGNMENT AND WOULD LIKE TO TAKE THE TIME TO STATE THE REASONS WHY:

1. OUR TRIBE HAS NOT HAD ANY INPUT IN THEBUREAU RE-ALIGNMENT.
2. OUR TRIBE HAS NOT BEEN CONSULTED RELATIVE TO RE-ALIGNMENT.
3. OUR TRIBE DOES NOT UNDERSTAND WHAT RE-ALIGNMENT MEANS TO OUR MEMBERSHIP.
4. OUR TRIBE DOES NOT KNOW WHAT EFFECTS THE PROPOSED RE-ALIGNMENT WILL HAVE ON OUR AGENCY AND AREA OFFICES.
5. OUR TRIBE FEELS THAT THE LAKE OF INPUT FROM OUR TRIBE IS A BREACH OF BUREAUS TRUST RESPONSIBILITY.

WE TRUST YOU AND YOUR OFFICE WILL GIVE THIS SERIOUS CONCERN AND
IMMEDIATE ATTENTION
SINCERELY

GARY METOXEN, CHAIRMAN
ONEIDA TRIBE OF WISCONSIN
PO BOX 9
LAC DU FLAMBAU WI 54438

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645

western union Mailgram

4-0357175131002 05/11/82 ICS IPMBNGZ CSP PTGA
1 7155883324 MGM TDBN LAC DU FLAMBEAU WI 05-11 0240P EST

GREAT LAKES INTERTRIBAL COUNCIL INC
PC BOX 9
LAC DU FLAMBEAU WI ~~53538~~ 54538

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

7155883324 POM TDBN LAC DU FLAMBEAU WI 115 05-11 0240P EST
PMS CONGRESSMAN SIDNEY YATES
CAPITOL ONE DC

DEAR CONGRESSMAN YATES,

THE LAC DU FLAMBEAU TRIBAL GOVERNMENT WOULD LIKE TO EXPRESS IT'S CONCERN ABOUT THE RE-ALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS THAT HAS BEEN PRESENTED TO THE HOUSE INTERIOR SUB-COMMITTEE BY THE BUREAU OF INDIAN AFFAIRS.

AT THIS TIME THE LAC DU FLAMBEAU TRIBAL GOVERNMENT STANDS IN OPPOSITION TO THE PROPOSED RE-ALIGNMENT.

OUR TRIBAL GOVERNMENT HAS NOT BEEN CONSULTED ABOUT THE REORGANIZATION, AND THE EFFECTS OF SUCH A RE-ALIGNMENT ON OUR TRIBE AND OUR AREA AND AGENCY BUREAU OF INDIAN AFFAIRS OFFICES HAVE NOT BEEN COMMUNICATED TO US.

WE REQUEST THAT YOU AND YOUR COMMITTEE INVESTIGATE THIS MATTER IN DEPTH AND CONSIDER THE CONCERNS OF TRIBAL GOVERNMENT BEFORE TAKING ANY ACTION.

SINCERELY

WILLIAM WILDCAT SENIOR, CHAIRMAN
LAC DU FLAMBEAU TRIBAL COUNCIL
PC BOX 9
LAC DU FLAMBEAU WI 53538

1445 EST

MGMCOMP MGM

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645

Mailgram

4-040001S131002 05/11/82 ICS IPMBNGZ CSP PTGD
1 7155883324 MGM TDBN LAC DU FLAMBEAU WI 05-11 0323P EST

GREAT LAKES INTERTRIBAL COUNCIL INC BAD RIVER
BAND MP
PO BOX 9
LAC DU FLAMBEAU WI ~~[illegible]~~ 54538

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

7155883324 POM TDBN LAC DU FLAMBEAU WI 146 05-11 0323P EST
PMS CONGRESSMAN SIDNEY YATES
CAPITOL ONE DC

THE BUREAU OF INDIAN AFFAIRS HAS BROUGHT TO YOUR ATTENTION AND HAS REPORTED TO THE HOUSE INTERIOR SUBCOMMITTEE THAT INDIAN TRIBES ARE IN FAVOR OF THE BIA RE-ALIGNMENT. THE BAD RIVER BAND OF LAKE SUPERIOR CHIPPEWA INDIANS WOULD LIKE TO TAKE THE TIME TO EXPRESS OUR VIEW. IT IS OUR POSITION TO ADAMANTLY OPPOSE BIA RE-ALIGNMENT BASED ON THE FOLLOWING REASONS;

1. OUR TRIBE HAS NOT BEEN CONSULTED RELATIVE TO RE-ALIGNMENT.
2. OUR TRIBE HAS NOT HAD ANY INPUT IN THE BUREAU RE-ALIGNMENT.
3. OUR TRIBE FEELS THAT THE LACK OF INPUT FROM TRIBE IS A BREACH OF BUREAUS TRUST RESPONSIBILITY
4. OUR TRIBE DOES NOT UNDERSTAND WHAT THE ALIGNMENT MEANS TO OUR MEMBERSHIP.
5. OUR TRIBE DOES NOT KNOW WHAT EFFECT THE PROPOSED RE-ALIGNMENT WILL HAVE ON OUR AGENCY AND AREA OFFICE.

WE TRUST YOUR OFFICE WILL GIVE US IMMEDIATE ATTENTION AND SERIOUS CONCERN.
SINCERELY

VERNON STONE, CHAIRMAN
BAD RIVER BAND OF LAKE SUPERIOR
CHIPPEWA INDIANS
PO BOX 9

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645

western union Mailgram

4-036760S131002 05/11/82 ICS IPMBNGZ CSP IRNB
1 7155883324 MGM TDBN LAC DU FLAMBEAU WI 05-11 0251P EST

GREAT LAKES INTER TRIBAL COUNCIL INC
BOX 9
LAC DU FLAMBEAU WI 54538

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

7155883324 MGM TDBN LAC DU FLAMBEAU WI 187 05-11 0251P EST
ZIP
CONGRESSMAN SIDNEY YATES HOUSE INTERIOR
SUBCOMMITTEE
ROOM B 308 RHOB
WASHINGTON DC 20515

DEAR CONGRESSMAN YATES:

IT IS OUR UNDERSTANDING THAT THE BUREAU OF INDIAN AFFAIRS HAS REPORTED THAT INDIAN TRIBES ARE IN FAVOR OF THE BIA REALIGNMENT. MAY I, ON BEHALF OF MY TRIBE TAKE THIS TIME TO RESPOND TO THIS ISSUE.

IT IS THE CONCESUS OF OUR TRIBE TO OPPOSE THIS MOVE BY THE BUREAU OF INDIAN AFFAIRS. OUR REASONS ARE AS FOLLOWS;
1. OUR TRIBE HAS NOT BEEN CONTACTED FOR OUR INPUT REGARDING REALIGNMENT.
2. WE ARE UNSURE OF THE EFFECT THIS MOVE WILL HAVE ON OUR TRIBE AND AREA OFFICES.
3. WE DO NOT UNDERSTAND WHAT IT MEANS TO OUR MEMBERSHIP AS A TRIBE.
4. WE HAVE NOT BEEN CONSULTED RELATIVE TO REALIGNMENT.
5. WE FEEL STRONGLY THAT BY THE LACK OF COMMUNICATION BETWEEN THE TRIBE AND AGENCY IS A SERIOUS BREACH OF TRUST RESPONSIBILITY ON BEHALF OF THE BUREAU.

MY TRIBE WILL BE WAITING FOR SOME RESPONSE TO OUR CONCERNS, FROM YOUR OFFICE. WE TRUST YOU WILL GIVE THIS MATTER SERIOUS THOUGHT AND IMMEDIATE ATTENTION.
SINCERELY
CHLORIS LOVE, CHAIRMAN, WISCONSIN-WINNEBAGO BUSINESS COMMITTEE

1457 EST

MGMCOMP MGM

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645

western union M gram

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GREAT LAKES INTER TRIBAL COUNCIL INC
BOX 9
LAC DU FLAMBEAU WI 54538

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLO   ESSAGE:

7155883324 MGM TDBN LAC DU FLAMBEAU WI 189 05-11   EST
ZIP
CONGRESSMAN SIDNEY YATES
CHAIRMAN HOUSE INTERIOR SUBCOMMITTEE
ROOM B 308 RONB
WASHINGTON DC 20515

DEAR CONGRESSMAN YATES:

THE STOCKBRIDGE-MUNSEE TRIBE HAS BEEN INFORMED TH   E BIA HAS
REPORTED TO THE HOUSE INTERIOR SUBCOMMITTEE ON TH   REALIGNME
PROPOSAL, THAT TRIBES ARE IN FAVOR OF THIS MOVE.   THE
DETERMINATION OF THE STOCKBRIDGE MUNCIE TRIBE TO   YOUR OFF
OTHERWISE, AND TO LET IT BE KNOWN THE IMPLICATION   UCH A MOV

OUR TRIBE HAS TAKEN THE STAND AGAINST SUCH A MOVE   EVERAL RE   S
THOSE BEING;
1. WE AS A TRIBE WERE NOT CONSULTED IN RELATION T   REALIGNME
2. WE HAD NO INPUT WHATSOEVER IN THE PLAN.
3. WE DO NOT UNDERSTAND WHAT IT WILL DO TO OUR RE   SHIP WITH
BUREAU.
4. WE ARE UNAWARE OF THE EFFECT IT WILL HAVE ON C   ENCY AND
OFFICES.
5. WE FEEL BECAUSE OF THE LACK OF COMMUNICATIONS   PUT INTO
BIA REALIGNMENT IT IS AN ARBITRARY MOVE AND THE B   S TRUST
RESPONSIBILITY HAS BEEN JEOPARDIZED.

IT IS OUR HOPE, YOU TAKE OUR TRIBES CONCERNS SERIOUSLY. WE AWAIT YOUR
IMMEDIATE ATTENTION.
RESPECTFULLY
LEONARD MILLER, CHAIRMAN, STOCKBRIDGE-MUNCIE TR

1435 EST

Great Lakes Inter-tribal Council

RESOLUTION NO. 36

BIA REALIGNMENT OPPOSITION

WHEREAS, neither the Great Lakes Regional Inter-Tribal Assembly nor any other Tribal government has been consulted with regard to the BIA realignment proposal of February 18, 1982; and,

WHEREAS, the elected Tribal leadership requested specific information on the BIA realignment proposal and its economic, personnel, and program impact on the Minneapolis service area; and,

WHEREAS, the Bureau of Indian Affairs failed to respond or have a representative present from the Washington D.C. office as originally committed; and,

WHEREAS, there has been no other official means for Tribes to have input to the mysterious, ineffective, and inefficient realignment process which the Bureau of Indian Affairs has proposed; now,

THEREFORE BE IT RESOLVED, that the United States Congress hold oversight hearings to enable representatives of Federally recognized tribes to have appropriate input to the process before any realignment in staffing or funding is implemented.

RESOLUTION NO. 37

BIA ECONOMIC DEVELOPMENT INITIATIVE PROGRAM

WHEREAS, the Bureau of Indian Affairs has proposed an Economic Development Initiatives program designed to foster economic development for the tribes; and,

WHEREAS, program guidelines require projects to demonstrate 80% to 90% matching by outside sources (private sector) in order to be eligible for funding; and,

WHEREAS, Great Lakes Regional Tribes have been unable to meet matching requirements in the past and because of this will be unable to utilize the Economic Development Initiative program as presently structured; now,

THEREFORE BE IT RESOLVED, the Great Lakes Regional Inter-Tribal Assembly hereby request the Bureau of Indian Affairs to restructure the Economic Development Initiatives program in a manner consistent with self-determination, to take into account regional development constraints, and to provide funding at a level consistent with tribal needs.

THE BLACKFEET TRIBE

OF THE BLACKFEET INDIAN RESERVATION

BROWNING, MONTANA 59417

EXECUTIVE COMMITTEE
EARL OLD PERSON CHAIRMAN
DANIEL L. GILHAM SR. VICE CHAIRMAN
CHARLES CONNELLY JR. SECRETARY
ELOUISE C. COBELL TREASURER

TRIBAL COUNCIL
EARL OLD PERSON
DANIEL L. GILHAM SR.
CHARLES CONNELLY JR.
LELAND GROUND
ARCHIE ST. GODDARD
LEONARD MOUNTAIN CHIEF
GEORGE KICKING WOMAN
JERRY SHOW
PHILIP B. BATTLES JR.

RESOLUTION

NUMBER 348-82

WHEREAS: The Blackfeet Tribal Business Council is the duly constituted governing body within the exterior boundaries of the Blackfeet Indian Reservation; and

WHEREAS: The Blackfeet Tribal Business Council has been organized to represent, develop, protect and advance the views, interests, education and resources of the people of the Blackfeet Indian Reservation; and

WHEREAS: The Bureau of Indian Affairs has proposed the inclusion of P.L. 95-471, the Tribally Controlled Community College Assistance Act, as a part of the Field Office Realignment for education purposes by decentralizing from Washington, D. C. level to Regional Office level; and

WHEREAS: The Blackfeet Tribal Business Council, through its chartered Blackfeet Community College, has participated in this program and has been able to provide higher education opportunities to its membership on the Blackfeet Indian Reservation; and

WHEREAS: The Bureau of Indian Affairs has begun consultation with tribes after the fact rather than prior to planning of the realignment for P.L. 95-471; and

WHEREAS: The National Tribal Chairman's Association on March 29, 1982 opposed the Feild Office Realignment because it will create greater hardships and confusion, the plan is not cost effective, the corporate style decision-making process being proposed is not appropriate for human-services to people oriented government programs; and

WHEREAS: The proposed Field Office Realignment shall create a greater financial burden on the Blackfeet Tribal Business Council's budget because of the increased travel costs; and

WHEREAS: The proposed Field Office Realignment shall decrease the effectiveness of the Tribe's decision-making capacity for education purposes and planning; and

WHEREAS: The Blackfeet Tribal chartered Blackfeet Community College is in the process of achieving accreditation status and need the direct access to Washington, D. C. provided by P.L. 95-471 to fully achie [illegible] ement accreditiation; and

Resolution No. 348-82
Page 2

NOW, THEREFORE BE IT RESOLVED: That the Blackfeet Tribal Business Council opposes P.L. 95-471 being included in the proposed Bureau of Indian Affairs plan for realignment to its field office structure and asks that the P.L. 95-471 program decision making remain at the Washington, D. C. Central Office level; and

BE IT FURTHER RESOLVED: That the Blackfeet Tribal Business Council considers the Bureau of Indian Affairs proposed plan for realignment of education services as a reduction in the special government-to-government relationship tribes currently experience with the Federal Government; and

BE IT FINALLY RESOLVED: That this resolution be disseminated to the members of the appropriate Congressional committees, American Indian Higher Education Consortium and other organizations requesting their assistance in this matter.

ATTEST:

THE BLACKFEET TRIBE OF THE BLACKFEET
INDIAN RESERVATION

Charles J. Connelly, Secretary

Archie St. Goddard, Vice-Chairman

CERTIFICATION

I hereby certify that the foegoing Resolution was adopted by the Blackfeet Tribal Business Council during a duly called, noticed and convened Regular Session assembled for business the 6th day of May, 1982 with Eight members present to constitute a quorum.

(Corporate Seal)

Charles J. Connelly, Secretary
Blackfeet Tribal Business Council

NATIONAL TRIBAL CHAIRMEN'S ASSOCIATION

Suite 910 • 1010 Vermont Avenue, N. W. • Washington, D. C. 20005 - 4949
202 - 737-7011

July 22, 1982

The Honorable Sidney R. Yates
U.S. House of Representatives
Chairman, Interior Appropriations
Rayburn House Office Building

Dear Congressman,

I submit the enclosed information on the proposed BIA realignment. NTCA has opposed the implementation of the realignment for FY '83 perferring instead a full year of planning and preparation with the BIA and tribes participation ensured as concerned parties.

On July 19 I addressed a letter to you regarding the SIPI school in Albuquerque. Previous to that meeting I was told by Assistant Secretary Smith that you were the only person standing in the path of approval of the realignment. I commend you and encourage you to hold fast.

Part of my submission papers refers to RIF's which occurred at Brigham City, Utah in apparent violation of Indian Preference law. My inquiries about this to Interior have not been answered to date. I also enclose my written inquiry and their only response, which did not answer the question.

Sincerely,

Elmer M. Saville

Elmer M. Savilla
Executive Director

EMS/dmb
Enclosures

United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
WASHINGTON, D.C. 20245

IN REPLY REFER TO:
Personnel Management
BCCO #3081

JUL 2 1982

Mr. Elmer M. Savilla
Executive Director
National Tribal Chairman's Association
1010 Vermont Avenue, N.W., Suite 910
Washington, D.C. 20005

Dear Mr. Savilla:

The Honorable Kenneth Smith, Assistant Secretary - Indian Affairs, has referred your letter of June 16 to this office for reply.

Your inquiry concerns the application of the Indian preference policies in the current realignment process. The "early out" legislation of P.L. 96-135, Section 2 (b)(1)(B) provides for the reassignment of non-Indians in the course of reduction-in-force. Secretary Smith did approve, on March 23, 1982, the reassignment of 17 non-Indian employees at the Office of Technical Assistance and Training, Brigham City, Utah. However, only 10 were reassigned and one declined an offer, as a result of this approval.

The authority to reassign non-Indians without regard to Indian preference is contained in Section (2)(b)(2) and vests such authority to "The Secretary of the Interior with respect to the BIA and the Secretary of the Health, Education and Welfare with respect to the Indian Health Service, and notwithstanding any other provision of law, the Secretary involved may not delegate such authority to any individual other than an Under Secretary or Assistant Secretary of the respective department."

The Bureau's proposed reorganization has not been approved to date. However, when it is, the affected Area/Regional Directors will determine if it is neccesary to obtain approval for reassignment of non-Indians. If so, the recommendation by the Area/Regional Directors will be submitted for Secretarial approval.

We trust this information is satisfactory. We will be glad to clarify Bureau policies anytime; therefore, please feel free to communicate when there is a need to do so.

Sincerely,

Deputy Assistant Secretary -
Indian Affairs (Operations)

NATIONAL TRIBAL CHAIRMEN'S
ASSOCIATION

Suite 910 • 1010 Vermont Avenue, N. W. • Washington, D. C. 20005 - 4949
202 - 737-7011

June 16, 1982

Mr. Ken Smith
Assistant Secretary - Indian Affairs
Department of the Interior
18th and C Streets N.W.
Washington, D.C. 20240

Dear Mr. Smith:

I am inquiring about the application of Indian Preference policies in the current realignment process.

44 BIAM 302 1.3 provides for a waiver of Indian preference under certain circumstances. A situation in Brigham City has caused concern to the tribes that perhaps Indian preference will not be adhered to if the realignment proceeds as scheduled.

Has the Secretary, or yourself, approved or have you considered approval of such waiver? We would appreciate a prompt response to this question. I asked this question of John Fritz and his response was that the authority cannot be delegated to him. For your information I discussed this issue with Mr. Fritz and 2 of his staff on Friday, June 18.

Best regards,

Elmer M. Savilla

Elmer M. Savilla
Executive Director

EMS/dd

NATIONAL TRIBAL CHAIRMEN'S
ASSOCIATION

Suite 910 • 1010 Vermont Avenue, N. W. • Washington, D. C. 20005 - 4949
202 - 737-7011

Supplemental Information on NTCA objections to BIA Realignment.

On June 24, 1982, Interior submitted additional requested information to the House Interior committee. The committee had requested the information because of unsatisfactory answers to questions given at hearings. Their submission is attached.

It is our view that the explanations provided does not justify immediate implementation of the reorganization. Answers are generally vague and do not properly address the two most important questions, 1.) How, specifically, will better service delivery result from the reorganization?, and, 2.) Where will savings be made which will result in the famous $16 million figure?

In Exhibit 2 it is shown where $13.6 million is projected to be saved by a reduction of FTE. However the largest reduction of 44% is being made in Education. We do protest this disregard for educational responsibility by the BIA, especially if these savings would be a result of closing our much needed schools such as SIPI and Intermountain and others.

Question 7 and Exhibit 4 addresses Consultation during the planning period. Tribes almost unanimously have protested the lack of proper information dissemination and explanation of the realignment plan. At the hearing Interior boasted of 275 written responses to their request for comments. Their documented responses show a total of 2[illegible]6 responses, 16 of which are from tribal members, 49 from a tribal chairperson, 3 tribal vice-chairpersons, 1 tribal secretary, and 198 non-Indian private citizens and businesses. We insist that this does not meet criteria for consultation.

Given the limited amount of time left in FY '82 it seems almost certain that programs, service, and personnel would suffer in the effort to meet the October 1 implementation. It would seem more prudent to fix FY '84 as the goal, which would give all concerned sufficient time to work out the differences. Uppermost in our minds is a concern for the service population in terms of fairness and justice, rather than their taking pride in the making of hard corporate-type decisions.

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

Note to SETCA = see page 6 re: Riverside Emp.

Kathleen R. Johnson
Staff Assistant
Subcommittee on Interior
and Related Agencies
Washington, D. C. 20515

Dear Kathy:

This is in response to your letter of June 21, 1982, requesting additional information in regard to our request for reprogramming of FY 1982 funds in order to carry out the Bureau of Indian Affairs proposed realignment. Since the information as provided to me by the Bureau is quite substantial, for your convenience we have structured our response in a question and answer format. Further, should you desire an oral briefing, members of my staff and the Bureau would be pleased to meet with you at your convenience.

Your early consideration of this material is requested in view of the need to provide as much time as possible to those Bureau employees who may be affected by this reorganization to exercise their employment options in the summer months for the reasons previously noted in our request for reprogramming. Please advise if we may be of any further assistance in this regard.

Sincerely,

Director of Budget

Enclosures

cc: Sec Surname
Sec RF (2)
Surname 800
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800:BO:t:6/24/82:hhh

1 Question: Estimate of population served by each old Area Office; and to be served by new Regional Centers.

Answer: Exhibit #1 provides a matrix of the service population based upon the latest official Bureau estimate (FY 1981). Please note that this report may differ from current census and/or local estimates because of different qualifying criteria.

2 Question: An expansion of Attachment A to the 5/28/82 letter, showing the functional breakdown of FTE's and related funding by Area Office, for 1981 and 1982; and by Regional Center for 1983.

Answer: The information requested is provided in Exhibit #2. The data for FY 1981 and 1982 reflect information contained in the Bureau's budget submission for those years, while the data for FY 1983 is the Bureau's current estimate based upon the proposed realignment.

3 Question: Planned staffing levels and functions for Billings, Minneapolis, Muskogee and Washington, D. C. offices; and Navajo Office.

Answer: Exhibit #3 provides planned staffing levels and functions for the proposed field offices at Billings, Minneapolis, Muskogee and Washington, D. C. (Eastern Program Technical Assistance Office), as well as the Special Program Office Service Center at Navajo. Detailed positions and functions are included in the planning documents provided in response to the last question below.

4 Question: It has been alleged that the Muskogee Area Office is specifically authorized by law, particularly with regard to the real estate trust responsibility; please research and address this issue.

Answer: The Muskogee Area Office was established by the Secretary of the Interior under the authority granted by the President through Reorganization Plan No. 3 of 1950 (64 Stat. 1262). This is the same authority that has been used to establish other area offices and to make other organizational changes within the Department of the Interior.

Reorganization Plan No. 3 of 1950 (64 Stat. 1262) provides:

> § 1. TRANSFER OF FUNCTIONS TO THE SECRETARY
>
> (a) Except as otherwise provided in subsection (b) of this section, there are hereby transferred to the Secretary of the Interior all functions of all other officers of the Department of the Interior and all functions of all agencies and employees of such Department.
>
> § 2. PERFORMANCE OF FUNCTIONS OF SECRETARY
>
> The Secretary of the Interior may from time to time make such provisions as he shall deem appropriate authorizing the performance by any other officer, or by any agency or employee, of the Department of the Interior of any function of the Secretary, including any function transferred to the Secretary by the provisions of this reorganization plan.

It is noted that the consolidation proposed does not impact upon the Bureau's trust responsibilities to Oklahoma tribes.

5 Question: Specific questions related to the May 28 letter:

A. How specifically will better service delivery result from the reorganization; what mechanisms will be used?

Answer: The basic policies and procedures used to deliver services will remain in place including changes now in process such as converting P.L. 93-638 Contracts into grants as currently planned. What is being accomplished through the reorganization is (1) redesign of staffing patterns to reflect the current needs by functional discipline vis a vis changes in workload impact due primarily to continuing implementation of P.L. 93-638 and P.L. 95-561, (2) increased emphasis on the contractor/contractee relationship to insure that services are provided effectively and in accordance with contractual requirements and (3) to provide a consolidated mid-level work force which allows best use of available FTE, the the benefits of economy of scale, and improved employee productivity.

B. How specifically will Agency roles be changed (provide Agency staffing levels and related funding for 1981, 1982 and 1983)?

Answer: The proposed realignment does not, per se, impact upon the roles of agencies in the delivery of services. However, the Bureau is continuing its thrust toward decentralizing decisionmaking authorities to the Agency level. An example of this is the increased role of Agency Superintendents in the implementation of P.L. 93-638 acquisitions by grant rather than contract. The following tables identify Agency staffing levels for FY 1981, 1982 and proposed 1983. Changes in these levels are related to programmatic changes.

	FY 1981	FY 1982	Proposed FY 1983
Agency Staffing	4321 FTE	4207 FTE	4207 FTE
Agency Funding	$241,311,000	$240,727,000	$260,759,000

6 Question: What are your specific plans for improving the provision of technical assistance, and improving the contracting/grants process through this realignment?

Answer: The continued increase in P.L. 93-638 contracts and grants to carry out Bureau programs has created a need for more specialized technical assistance in the mid-level program management functions in order to assure effective tribal contract performance, and to assist and advise BIA Agency level personnel engaged in contract administration. Through the proposed realignment we plan to increase personnel at each BIA mid-level organization (i.e., Regional Service Centers) as compared with the current Area Offices, while still achieving a significant reduction in costs and overall mid-level personnel. The increase in mid-level office FTE for selected functions was an intended goal in reorganization planning to allow for the sorely needed establishment of more specialized professional contracting/grants and other technical assistance positions and development of associated expertise.

In particular, as related to improvements of the contracts and grants process, each new Regional Center is being required to establish a minimum of two full time professional positions at the Regional Director level to engage in oversight of contract and grant administration activities and to provide associated technical advice and assistance to tribal contractors. The Bureau is confident that this requirement will help reduce problems and deficiencies in contracts and grants administration which have been the subject of frequent criticism.

7 Question: With regard to consultation, provide a breakdown of the 275 written responses by name, by category (favorable, unfavorable, and other categories (specify) as appropriate).

Answer: The information requested is provided in Exhibit 4. Copies of comments and the Bureau's response can be provided should the Subcommittee so desire.

8 Question: Provide a detailed explanation as to how the personnel savings, through lower personnel levels, which will be used in part to fund the costs of your proposal in FY 1982, were derived (page 5)?

Answer: Savings from budgeted personnel dollars were derived from lapses in existing Full Time Equivalency under the Continuing Resolution prior to passage of the Appropriation Act in late December 1981. Vacancies which did not affect life safety, health or protection of government property were not filled. After the appropriation was signed, the Bureau continued to leave non-critical positions vacant as they occurred at the Area and Central Office levels in order to reduce the potential RIF impact on employees in anticipation of the proposed realignment. These vacancies will result in the projected savings as described on page 5. If this realignment plan is executed with little delay, these savings will cover the costs; however, any delay will result in shifts into FY 1983.

9 Question: Describe in detail the basis for the estimated $700,000 in communications, utilities and rent; and $700,000 in "contractual operating expenses"?

Answer: The savings were estimated based upon expenditures to date and projected to the end of the fiscal year. Savings result from operating at a somewhat reduced level of staffing, lower energy costs for operation of facilities, etc.

There is an estimated $700,000 savings in avoidance of communications, utilities and rental costs in items associated with the reduced level of staffing. Such savings include costs for office space and furniture, corresponding utility costs, (i.e., electricity, water, natural gas, etc.) telephone, telegraph, teletype and other communication services, copiers and other office equipment rentals, mail postage and messenger services, storage space rental and other related rentals commonly experienced in support of personnel.

Similarly, the $700,000 estimated savings in "contractual operating expenses" is attributed to avoidance of costs such as repairs and alterations of space; repairs and maintenance of motor vehicles and other equipment; and janitorial, security and other housekeeping services.

10 Question: On Attachment A, why do the FTE reductions total 368? Why aren't the Office of Indian Education Program FTE's distributed by Region?

Answer: The FTE reduction in Attachment A includes the total effect of FTE reduction from the FY 1982 Base to the proposed FY 1983 FTE plan. Included in this is a five percent general reduction distributed in the FY 1983 budget. The FY 1983 budget also included a reduction of 372 FTE, undistributed at the time of submission, of which 271 FTE were planned for the mid-level management realignment. These reductions are shown more clearly at the bottom of page 1, Exhibit B, to the May 28, 1982, request for reprogramming.

Exhibit 5 lists Education FTE distributions. This data was not available at the time of the May 28 letter, but it is supplied herewith.

11 Question: On Attachment B, explain in detail the basis for using a $37,000 factor for field locations, and $34,000 for the Central Office; and the basis for the variations in the percentage sizes of the overhead reductions as applied to the proposed regions.

Answer: Total overhead costs after the proposed realignment are estimated at $79.4 million, with an associated personnel input of 2,191 staff years (FTE), as shown in Attachment B of our May 28 reprogramming letter. On a per FTE basis this is equivalent to a factor of approximately $36,000. As you pointed out, the regional factor is approximately $37,000 while the Central Office factor is approximately $34,000. The reason for this difference is due to our centralized accounting for certain operating costs, such as GSA rental charges, and communication costs, including telephones, automatic data processing, etc. In other words, the bills for these kinds of costs are paid for from a Central Office account even though much of the related costs are incurred in the field. If we had distributed the costs between the regional level and the Central Office level based on actual costs incurred rather than where the costs are paid, the difference between the regional factor of $37,000 and the Central Office factor of $34,000 would virtually disappear.

The estimated reduction in overhead by region was based upon the expected savings to be achieved through the redesign of the mid-level management functions toward a service center concept and the consolidation of such functions. The opportunity for savings is, of course, greater in the Southern and North Central Regions where sizeable offices are being consolidated. It should also be noted that the scope of various Bureau programs varies significantly from region to region. For example, the North Central Region has a major phase of the land allotment, the Northwestern Region has a major share of forestry, etc. In the development of staffing patterns to carry out the Bureau's responsibilities effectively, these factors are taken into consideration. These same factors contribute to percentage variations in administrative costs from region to region, such as those cited.

12 Question: How will the grade structure at the Regional Centers differ from
that at the Area Office? Provide details.

Answer: It is not anticipated that grade structures will materially differ at
Regional Centers from that currently authorized at the Area Offices. However,
the Bureau is considering selective requests for SES status for Deputy Regional
Service Center Directors based upon the larger scope of certain service centers.
This would not require additional SES allocations to that already authorized
for the Bureau at the Area level. Certain other Senior GS positions may be
selectively requested at a one grade increase based upon the same premise of
increased scope of responsibility. It is to be emphasized, however, that all
such requests must be submitted to classification review at the Department
level prior to final decision.

13 Question: Describe in more detail how the programmatic and administrative
services will be provided to Eastern tribes.

Answer: The Eastern Program Technical Assistance Office, to be located in the
Washington, Central Office, under the direction of the Deputy Assistant
Secretary - Indian Affairs (Operations) will provide technical assistance to
agencies and tribes located in the States of Florida, Louisiana, Maine,
Mississippi, New York and North Carolina. Program and administrative support
services, including computer services, will be provided to these agencies from
the Southern Regional Service Center.

Special emphasis will be placed on expediting additional grants and contracts for
programs now delivered by the Bureau to Eastern tribes because consultation with
Eastern Tribal leaders suggested additional contracting and greater responsi-
bility for their own services as an alternative to our original realignment
concept. Once additional grant and contracting opportunities are identified
and program responsibilities shifted to the tribes, the major function of the
Washington Office will be technical assistance for those contracted activities.
Appropriate trust responsibility and natural resources technical assistance
will be available as needed; however, these functions are carried out mainly
at the agency level for day to day tribal operations.

Another special circumstance requiring Central Office as well as regional
service, for the time being, is the land acquisition effort for Maine tribes,
fulfilling court settlement of Maine Indian land claims.

14 Question: Provide details of your plans for California tribes under the
reorganization.

Answer: Northern California tribes, whose major natural resources include
forests and fisheries, will be served by the Northwest Regional Service Center
in Portland, Oregon. The Hoopa Agency will report to Portland. The present
field office in Redding, California, will be strengthened to provide improved
service to tribes in Modoc and Lassen counties, and will also report to Portland.

Central and Southern California tribes, where major natural resources development depend primarily on irrigated agricultural activities, will be served by the Western Regional Service Center at Phoenix. The Central California Agency at Sacramento will be strengthened. In addition, a small staff will remain to continue the preparation of records following on the litigation of the Jessie Short case. They will be co-located with the Central California Agency in Sacramento.

15 Question: Provide copies of the Task Force reports, or regional planning submissions.

Answer: Included in this package is a set of the latest regional planning submissions. These submissions reflect comments received during the consultation process as well as comments made by headquarters program and administrative staff in a series of working sessions. While these planning proposals are undergoing review and there may be some changes, it is believed that any additional changes would be minor.

Ex #1

SERVICE POPULATION CROSSWALK CHART
Abolishment of BIA Area Offices and establishment of Regional Service Centers

		SERVICE POPULATION -- PROPOSED ORGANIZATION							
Current Organization	Present SERVICE POPULATION	North Central Regional Svc Ctr	North-west Regional Svc Ctr	Southern Regional Service Center	South-west Regional Svc Ctr	Western Regional Service Center	Juneau Special Program Office	Navajo Special Program Office	Eastern Program Tech. Ass't. Office
Aberdeen Area Office	64,774	64,774							
Albuquerque Area Off.	45,425				45,425				
Anadarko Area Office	36,719	2,216		34,503					
Billings Area Office	32,805	29,505	3,300						
Eastern Area Office	25,961			25,961*					25,961*
Juneau Area Office	64,047		976				63,071		
Minneapolis Area Off.	39,863	39,863							
Muskogee Area Office	121,998			121,998					
Navajo Area Office	160,722							160,722	
Phoenix Area Office	71,933				1,962	69,971			
Portland Area Office	52,787		52,787						
Sacramento Area Office	17,861		5,275			12,586			
TOTAL	734,895	136,358	62,338	182,462	47,387	82,557	63,071	160,722	

* Programmatic direction provided by Eastern Program Technical Assistance Office with administrative support services provided by Southern Regional Service Center.

Exhibit 2

	Area Offices				Regional Offices	
	1981		1982		1983	
	FTE	Amount 1/	FTE	Amount 1/	FTE	Amount 1/
		In Thousand				
Executive Direction	56	3,499	42	3,130	-21% 33	2,517
Administration	792	27,659	762	26,759	-17% 633	22,280
Trust	514	18,239	483	17,956	-3% 467	17,387
Indian Services	335	12,387	304	11,302	-38% 187	6,962
Education	232	8,584	222	8,253	-44% 125	4,654
Total	1929	70,368	1813	67,400	1445	53,800

- 13,600

1/ Dollar levels reflect a national planning factor of $25,000 per FTE plus other projected non-personnel costs. Actual levels ultimately approved may vary depending on regional differences and priorities established within each Region. Dollar levels cited above are planning estimates and are not FY 1983 regional budgets.

Education is biggest loser.

Exhibit 3

Location	Planned Staffing	Planned Functions*
Billings	24	Technical assistance in the trust functions
Minneapolis	41	Technical assistance for a wide range of functions with a primary emphasis on contract/grant management.
Muskogee	4 - 6 (Transition team for Record Systems)	All functions planned to be transferred to Anadarko. On a transitional basis the record system located at Muskogee will be brought up to date, put on microfiche and the records transferred to the Federal Records Center. With the record system modernized and the files distributed to the appropriate agencies, the tribes and individuals will have better access.
Navajo	209	Full range of services and functions.
Washington, D.C. (Eastern Program Technical Assistance Office)	18	Technical assistance for all programmatic functions. Administrative support for the Eastern Agencies will be provided by the Southern Regional Service Center (Anadarko).

* These functions and staffing are elaborated more fully in the Regional planning submissions provided herewith.

EXHIBIT [illegible]

DISTRIBUTION OF MID-LEVEL EDUCATION FTS

CURRENT	EDUCATION FTE	PROPOSED	EDUCATION FTE
Aberdeen Area Office Aberdeen, So. Dakota	33	North Central	35
Billings Area Office Billings, Montana	33		
Minneapolis Area Office Minneapolis, Minnesota	9		
Anadarko Area Office Anadarko, Oklahoma	23	Southern Region	22
Eastern Area Office Arlington, Virginia	4		
Muskogee Area Office Muskogee, Oklahoma	15		
Albuquerque Area Office Albuquerque, New Mexico	10	Southwest Region	5
Phoenix Area Office Phoenix, Arizona	24	Western Region	25
Sacramento Area Office Sacramento, California	9		
Portland Area Office Portland, Oregon	25	Northwestern Region	21
Juneau Area Office	26	Juneau	9
Navajo Area Office Window Rock, Arizona	11	Navajo	8
TOTAL FTE	222		125

Note: 267 Total
16 tribal members
49 Chairmen
3 Vice-Chm
1 Sect.-Treas.
198 non-Indians

Exhibit 4

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

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NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
ina Stumblingbe	Tribal member			Signature of Anadarko Area tribal members who are benefitting from Anadarko Area Office.
wton Poolaw	Tribal member			Oklahoma City logical location to serve Oklahoma tribes.
ward Mouss	Tribal member			Comments on realignment.
ampton Anderson	General public	Consolidation of Muskogee and Anadarko. Urge quick transfer to Oklahoma City.		
dward Mouss	Tribal member		Views consolidation as "road to termination."	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

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NAME	ORGANIZATION	FAVORABLE	UNFAVOAABLE	OTHER
ng. Dave McCurdy				Locating REgional Office in Anadarko would seem to be the most fiscally prudent course.
arvey York peaker	Choctaw Nation of Oklahoma			Recommends Thomas Ellison, presently Muskogue Area Director, be retained in a comparable position should two area offices be consolidated.
ames Gordon hief	United Keetoowah Band of Cherokee Indians in Oklahoma			Why couldn't regional office be located in either Muskoge or Anadarko as both are equi ped with adequate facilitie Personnel opinion would be Muskogee as regional office.
Howard Simmonds Chairman	Iowa Tribe of Kansas & Nebraska			Request 30 days to allow ti to visit North Central Cent before decision is made on which Center would be more beneficial to tribe.
O. Dan Nocktonick Vice Chairman	Prairie Band of Potawatomi of Kansas			Request 30 day extension period before a final decis is made as to which service center tribe would be place under.

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Curtis Gilfillan Chairman	Sac & Fox Tribe of Missouri			Tribe's decision to affilia with North Central Region.

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Cong. E. Clay Shaw, Jr.	On behalf of James Billie, Chairman, Seminole Tribe of Florida.		Removing Eastern Area Office to Muskogee. Tribe under Muskogee in 50s, outraged over misused of Seminole funds.	
Cong. Dante B. Fascell	On behalf of James Billie, Chairman, Seminole Tribe of Florida.			Proposes to BIA a Regional Technical Assistance Center for S.E. & eastern tribes remain in D.C. Believes Oklahoma deserves own Area Office with large Indian population.
Senator Don Nickles	On behalf of Joe McBride, Anadarko Daily News.		To consolidate, close or further reduce staff of Anadarko Area Office. Also consolidation or closing of Muskogee Area Office.	
Cong. Glenn English			Maintaining two area offices in Oklahoma should be continued. Urge two area offices not be consolidated until Okla delegation is consulted	
Cong. Mike Synar				Briefing Oklahoma delegat representatives very help

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
laude Cox rincipal Chief	Creek Nation.			Creek Nation supports in pr ciple proposal to consolida area offices into regional offices; Location of regiona office should not be importa goal to place more authorit in agencies.
ames Billie hairman	Seminole Tribe of Florida.		Removing Eastern Area Office from D.C. to Muskogee.	
urtis Gilfillan hairman	Sac and Fox Tribe of Missouri, Kansas.			Request 30 day extension to examine, study and discuss realignment. Desire to assure realignment with ano area office would be to the best interest of tribe.
verton James overnor	Chickasaw Nation			Tribe assured by BIA offici would be consulted prior to decision. Interested in fi role to be played by agenci
ong. Dante Fascell	On behalf of Buffalo Tiger, Chairman, Miccosukee Tribe of Florida		Moving Eastern Area Office to Oklahoma. Maintain a Eastern Area Office with minimum amount of expert personnel.	

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REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Cong. Don Fuqua	On behalf of James Billie, Chairman, Seminole Tribe of Florida			Tribe proposes to BIA that a Regional Technical Assistance Center for S.E and eastern tribes remain in Washington. Because of Ind population Oklahoma deserve own area office.
Cong. Charles Bennett	On behalf of James Billie, Chairman, Seminole Tribe of Florida		To removing Eastern Area Office to Muskogee. Tribe under Muskogee in 1950s, outraged over misuse of Tribe's funds by area office.	
James Billie Chairman	Seminole Tribe of Florida			Tribe proposes to BIA that Regional Technical Assistan Center for S.E. and eastern tribes remain in Washingto Because of Indian populati Oklahoma deserves own area office.
Claude Cox Principal Chief	Creek Nation			Regional Office should be Muskogee, give authority to agencies.
John Thomas Chairman	Kickapoo Tribe of Kansas			Request 30 day extension fore decision is made on which Regional Office is be placed under.

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REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
nest Sickey airman	Coushatta Tribe of Louisiana		Abolishment of Eastern Area Office.	
ng. Larry Winn	On behalf of Kansas Delaware Tribe of Indians, Inc.			Not objecting to consolidation of Muskogee & Anadarko but objecting to urgency of closing them by April 28, 1982.
ng. John Breaux	On behalf of Ernest Sickey, Chairman, Coushatta Tribe/ Louisiana.		Abolishment of Eastern Area Office.	
mes . Milam rincipal Chief	Seminole Nation of Oklahoma		Does not support consolidation of Muskogee into Southern Center & placed in Oklahoma City. Majority of Indian people reside in eastern Oklahoma.	
ng. W. Henson Moore	On behalf of Ernest Sickey, Chairman, Coushatta Tribe of Louisiana		Abolishment of Eastern Area Office.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
nator Don Nickles	On behalf of Edward F. Mouss, Cherokee/Creek			"Would be more than willing to offer alternatives to closing Muskogee Area Office and still meet Congressional intent and Federal Trust Responsibilities."
ong. Wes Watkins	On behalf of Harvey York, Speaker, Choctaw Nation, Oklahoma.			Should Muskogee and Anadarko be consolidated, recommend Thomas Ellison who is present Area Director, Muskogee, be retained in a comparable position.
hick Hale hairman	Prairie Band of Potawatomi Indians/Kansas			Tribe in an unanimously voted to receive services from North Central Region.
Cong. Dante Fascell			Miccosukee/Seminole tribal leaders continue to advise of their opposition to relocation of Eastern Area Office, desire to work w/Dept to resolve matter.	
Senators David Boren and Don Nickles Cong. Jones/ Synar/ Watkins/McCurdy/				Will BIA consult tribes on proposed reorganization, what will be overall organizational chart & lines of authrity, number of administrative and support personnel at each level for Oklahoma Center, etc.

TSA

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Cong. David Emery				Concerned re relocating Eastern Area Office to Minneapolis. Will result in undue hardship to many eastern tribes.
Terry Polchies Chairman	Houlton Band of Maliseet Indians		Closure of Eastern Area Office.	
John Sloat Governor	Absentee Shawnee Tribe of Oklahoma			Feels Oklahoma City best location for Regional Offic Central to all tribes in Ok homa, access to Oklahoma Ci by air/ground transportatio is excellent.
Billy Burch Chairman	Kickapoo Tribe in Kansas			Request an extension before final decision is approved to which Regional Service Center tribe is placed unde
Hollis E. Roberts Chief	Choctaw Nation of Oklahoma			Recommends certain function being fulfilled at Muskogee be considered for redelegation to Talihina Agency. Tribe & agency have good relationship.

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REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Cong. Martin Sabo			Closure of Minneapolis Area Office by Minnesota Chippewa Tribe.	
Barry E. Snyder President	Seneca Nation of Indians			Concerned re closure of Eastern Area Office and it affect upon services guar teed by treaty to tribes in eastern area.
Cong. Jack Kemp			Closure of Eastern Area Office.	
Cong. Olympia J. Snowe				Concerned re closing of E ern Area Office on beha of eastern tribes and importance of maintaini an Eastern Area Office.
Cong. Arlan Stangeland	On behalf of Darrell Wadena, President, Minnesota Chippewa Tribe.		Closure of Minneapolis Area Office	

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REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
ong. Trent Lott	On behalf of Rex Evans, Executive Director, United South Eastern Tribes.		Closure of Eastern Area Office,	
ong. Stan Lundine			Closure of Eastern Area Office,	
enators Hawkins/ ochran/East/Stennis/ elms/Chiles/Heflin/ 'Amato/Long/Johnston/ enton/Moynihan/Mitchell				Difficulty eastern tribes will have reporting to Okla City and Minneapolis for technical assistance & contract administration. Beli an Eastern Service Center r main east of Mississippi Ri
ng. David O'B. Martin			Make every effort to continue operation of a Washington office for eastern tribes.	
enator Rudy Boschwitz	On behalf of Darrell Wadena, President, Chippewa Tribe, Minnesota		Closure of Minneapolis Area Office.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
R. Kerry Johnston	Reed-Johnston Agency, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Pat McHugh	Reed-Johnston Agency, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Shirley DeHoogh	Reed-Johnston Agency, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Merlin Siefken	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
Orville Langdeau Chairman	Lower Brule Sioux			Positive reaction with reservation to Education Minneapolis; irrigation & water rights in Phoenix & qualified personnel at agency.

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REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Wes Shelton	General public	Would like to assist in relocating to Rapid City (moving furnishings, etc.)		
Gertrude Cavanaugh Vice Chairman	Devils Lake Sioux		Consolidating Fort Totten and Turtle Mountain agencies. Prior sub-agency at Belcourte provided poor services, Maintain agency at Fort Totten.	
Jeanette Smith Secretary/Treasurer	Devils Lake Sioux Tribe			Resolution - no hearings held or consultation with tribes which drastically effect economy, education, to north central area.
James Wilhelmie	Fort Thompson School Board		Resolution to locate Education Office in Rapid City.	
Rapid City Economic Development		Offers assistance to relocate to Rapid City.		

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REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Roger Feichert	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
Robert Bennion	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
Arthur LaCroix	General Public	Aberdeen Area Office move to Rapid City		
Mr. Dellianaman	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
L. E. Correll	General public			Comments on BIA reorgani

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CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Jan Ahrendt	Marty Indian School			Commented on proposed realignment.
City of Aberdeen	Citizens		Submitted resolution - relocating Aberdeen to Rapid City.	
L. R. Schmidt				Comments on Bureau realignment.
Montana Inter-Tribal Policy Board				Reorganization of BIA.
Tim Grouseth	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	

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NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Omaha Tribe of Nebraska	Tribal Council		realignment inconvenient.	
G. Marie Penney	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
Larry Huckins	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
Elmer Thurow	Attorney, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Cheyenne River Sioux	Tribal Council		Enc. resolution opposing relocating Aberdeen to Rapid City,	

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NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
James Lawler	Aberdeen citizen		Aberdeen has huge Federal building, Rapid City does not have space, would have to build or lease space.	
Joanne L. Lyren (with multi signatures)	Aberdeen citizens		Leave Aberdeen Area Office in Aberdeen.	
Darrell Schnaidt (with multi signatures)	Aberdeen citizens		Moving Aberdeen Area Office to Rapid City.	
Burlene Berg	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
Devils Lake Sioux	Tribal Council		Aberdeen realignment	

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REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
ng. Ron Marlenee				Interested in Billings Area Office transfer to Minneapo or Aberdeen. Are tribes being consulted for input.
n Jensen	Citizen of Aberdeen		Location of Aberdeen as chosen site of consolidation of 3 area offices is absurd.	
enator Larry Pressle				Proposed realignment of 12 area offices to six regional offices.
Senator Max Baucus			BIA reorganization that would result in closing Billings Area Office. Once plan is in place, can BIA administer trust responsibility & necessary services & technical assistance more efficiently.	
Senator J. James Exon	On behalf of Reuben Snake, Vice Chairman, Winnebago Tribe of Nevbraska			Bureau technical assistanc centers and education offi should be in same location to better coordinate activ ties and reduce cost, lack of tribal consultation, le area offices in same locat [illegible]

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

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NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
enator James Abdnor				Assured Aberdeen community BIA employees would only su port relocation if it prove to be cost-effective and of sufficient savings to justi the costs. Makes little se to travel to Rapid City. Aberdeen for Indian health vices & Minneapolis for edu
enators Malcolm Wallop and Alan Simpson ong. Dick Cheney	On behalf of Chairmen of Shoshone Business Council and Arapahoe Business Council.		Closure of Billings Area Office	
ong. Doug Bereuter			Bureau of Indian Affairs realignment proposals. Propose consolidation of functions in one geographic direction instead of tworor three.	
ohn Schmit	President, Rapid City Chamber of Commerce	Consolidation of Aberdeen and Billings to Rapid City most welcomed by Rapid City & Black Hills business communities.		
Juanita Helphrey	Executive Director, North Dakota Indian Affairs Commission			Encourages relocation of Regional Office to Bismarck.

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
on Andrade	Executive Director, National Congress of American Indians			Recommending William Buchol for a position at Rapid City Regional Center.
Senator Larry Pressler	On behalf of Glenn U. Hinds, Mobridge, South Dakota.	Supports consolidation of BIA offices. Suggest Mobridge as site for Regional Office.		
Pat McLaughlin Chairman	Standing Rock Sioux Tribe	Supports function of BIA of North Central Regional Center. Recommends Bismarck as site.		
ary Caven	Aberdeen citizen.			Concerned re consolidating Billings and Aberdeen at Rapid City. Cost should be examined in regards to move
Paul Little Acting Chairman	Devils Lake Sioux Tribe			Urges BIA to allow field he ings for tribes. Requests all agencies and tribes wo toward a workable solution resolve BIA realignment concept.

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

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NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Charles B. Kornmann	Lawyer, Aberdeen, South Dakota		Reject proposal to close Aberdeen and Billings and move offices to Rapid City.	
Tammy Herreboldt	Agent, Equitable Life Insurance Society, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Mark. V. Jorgensen	American Family Insurance		Moving Aberdeen Area Office to Rapid City.	
Duane Lipp	Agent, Equitable Life Assurance Society		Moving Aberdeen Area Office to Rapid City.	
William Hinds	Steel Structures of Aberdeen		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Ronald Gorham	General Manager, Village Bowl.		Moving Aberdeen Area Office to Rapid City.	
Cong. Byron Dorgan				North Dakota tribes now work with Aberdeen Area Office o education & health issues, realignment would parcel these functions to three cities. Urge BIA consider Bismarck.
A. M. Severson	President, First National Bank, Aberdeen.		Moving Aberdeen Area Office to Rapid City.	
Richard Westra	President, Farmers & Merchants Bank & Trust Company		Moving Aberden Area Office to Rapid City.	
D. W. Angerhofer	Vice President, First National Bank, Aberdeen		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
A. R. Russo	President, Narregang Insurance Agency, Aberdeen.		Moving Aberdeen Area Office to Rapid City.	
Dean Vang	Manager, J.C. Penney, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Richard Van Beek	Director of Admissions, Northern State College, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
DuWayne Plant	Vice President/Treasurer, United Federal Savings & Loan		Moving Aberdeen Area Office to Rapid City.	
Erwin J. Siefkes	President, Evergreen Supply, Inc.		Moving Aberdeen Area Office to Rap[illegible] City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Carl Wale President	Rosebud Sioux Tribe	Regional Technical Assistance Service Center & Education Service Center be in same location, mainly Rapid City.		
James Strickland	Superintendent, Aberdeen Plant/ 3M		Moving Aberdeen Area Office to Rapid City.	
Thomas Aman	Aman Collection Service, Inc., Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Phillip Lere	President, Interior Planning, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Donald Kelpin	General Manager, Sheraton Inn, Aberdeen.		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
James W. Larson	Owner/Operator, JWL Corp, Aberdeen.		Moving Aberdeen Area Office to Rapid City.	
Lee Ewine	Personnel Director, Dakota Midland Hospital, Aberdeen.		Moving Aberdeen Area Office to Rapid City.	
Minority Contractors of North Dakota		Urges placement of Regional Office in Bismarck.		
Mark Caven	Aberdeen Flying Service		Moving Aberdeen Area Office to Rapid City.	
Robert Harris Chairman Joseph Oldman Chairman	Shoshone Business Council Arapahoe Business Council		Closure of Billings Area Office. Tremendous energy resources in Wyoming & Montana needs a strong central office.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

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NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Dean Driscoll	Aberdeen City Commission		Moving Aberdeen Area Office to Rapid City.	
Senator Larry Pressler	On behalf of Mark Larsen, President, Aberdeen Chamber of Commerce.			Request Secretary Watt meet with Chamber of Commerce to discuss proposed plan to move Aberdeen Area Office.
Sister Lynn Marie Welbig	President, Presentation College.		Moving Aberdeen Area Office to Rapid City.	
Dennis Maloney	Attorney, Aberdeen, South Dakota.		Moving Aberdeen Area Office to Rapid City.	
Cong. Pat Williams				To date has not been consulted rega ing closure of Billings Area Office, proposal calls for technical expert in range management in Rapid City & mineral assistance in Denver--two a of special interest to Blackfeet. More consultation and review needs

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Elmer Blackbird Chairman	Omaha Tribe of Nebraska			Proposed plan as presented will definitely cost tribes considerable amount of additional funds by having to gc to different locations for assistance. Would prefer Aberdeen, if this is not fe able, recommend Rapid City.
Carl Waln President	Rosebud Sioux Tribe	Consolidation of Area Offices to Rapid City.		
Jerry Scott	Executive Vice President, Rapid City Regional Hospital, Inc.	Hospital has potential of three various buildings that possibly might be used for office by BIA.		
Senator Quentin Burdick				Tribes calling office re do BIA contemplate closing are office at Aberdeen over tha at Billings and placement o a regional computer system Billings directly related possible closure of Aberdee
Allen Rowland President	Northern Cheyenne Tribe			Consolidating Aberdeen & Bi ings Area Offices to Aberde will create economic hardsh for Montana/Wyoming Tribes. Closing entire Billings Are Office will hinder tribes

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Cong. Ron Marlenee				Would like further informati on when recommendations will be proposed & enacted, crite used to recommend which offi should be closed. Concerned how proposals will affect Billings Area Office.
Senator John Melcher				Expects that any move to close Billings will not be made before discussion/consultation w/senator and Montana delegation and trib leaders.
Mayor William B. Fox			Closing Billings Area	Office
Cong. Tom Daschle			Closing Aberdeen Area	Office.
Delphine Janues	Mayor of Aberdeen		Closing Aberdeen Area	Office

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Henry Brockie, Sr. Chairman	Fort Belknap Community Council			Understands Billings is considered for Regional Office Opposes consolidation of Aberdeen & Portland. Tribe would like Denver to serve same purposes for Aberdeen and Billings.
Lanny LaPlante Vice-Chairman	Cheyenne River Sioux Tribe			Requestion Education Office be located in Rapid City instead of Minneapolis.
Reverend Stanislaud Maudlin	American Indian Culture Research Center		Will miss nearness of Bureau office in Aberdeen.	
Roman Marcellais	Indian educator			Recommends Education move with personnel, contracts & procurement offices. Area Office either stay in Aberdeen or moved to Rapid City
Bruce Frink	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
W. R. Taylor, M.D.	Internal Medicine Associates		Moving Aberdeen Area Office to Rapid City.	
Alger Roseth	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
Sid Schroeder	Agent, Indianapolis Life Insurance Company		Moving Aberdeen Area Office to Rapid City.	
John L. Hayes	Attorney in Aberdeen		Moving Aberdeen Area Office to Rapid City.	
C. Scott Johnston	Reed-Johnston Agency, Inc.		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

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NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
orge L. Niemann	Lakeland Nurseries, Inc., Aberdeen		Moving Aberdeen Area Office to Rapid City.	
rancis Rinke	Aberdeen Crockery Store		Moving Aberdeen Area Office to Rapid City.	
etty Rzoski	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
. G. Stoia	Stoia, Seiler & Associates, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
ordon A. Diedtrich	Director of Graduate Studies, Northern State College, Aberdeen		Moving Aberdeen Area Office to Rapid City.	

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
A. Clarke	Vice President, Northern State College, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
John Christopher	Doctor, Dakota Midland Hospital		Moving Aberdeen Area Office to Rapid City.	
Bernie Harrington	Owner/Manager, ACME Personnel Service, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Robert Rohl	Coca-Cola Bottling Company, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
James Minahan	Indianapolis Life Insurance, Aberdeen		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Karl F. Graeber	Carey - Graeber - Noble Agency, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Gordon W. Ernst	Aberdeen Federal Credit Union		Moving Aberdeen Area Office to Rapid City.	
Arlo D. Smith	RAM Enterprises, Inc., Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Carlon C. Van Wagner	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
Ed Hunstad	Indianapolis Life Insurance, Aberdeen		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Elroy Johnson	Sheriff of Brown County, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Robert Shaffer	President, Siebrecht Florist, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Warren Blinder	President, Household Moving and Storage, Inc., Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Helen Hein and Myrtle Murray	Aberdeen citizens		Moving Aberdeen Area Office to Rapid City.	
Carl Perry	Gerharter Realtors, Aberdeen		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Jay Benson	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
Palmer Johnson	General Trading Company, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Alvin Aman	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
Robert Lamont, Jr.	Precision Industries, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Ray Gadberry	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
s Malchow	Malchow's Home Furnishings, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
es Shavie	Innkeeper, Holiday Inn of Aberdeen		Moving Aberdeen Area Office to Rapid City.	
W. Boub	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
s. Larry Bocker	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
bert Matson	Manager, KABY-TV, Aberdeen		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
ern Olson	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
ory King	Attorney, Siegel, Barnett & Schutz, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
oe Fisher	Sales Manger, Jobbers Moving & Storage, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Leo Weber	Plymouth Clothing Company, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Mel Duncan	Aberdeen Personnel Association		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
James Bishop	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	
F. Otto Schmaidt	Dentist, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Honorable Allen Olso	Governor of North Dakota	Consider Bismarck as site for Regional Office.		
Pam Schimke	Reed-Johnson Agency, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Cal Chaffin	Reed-Johnson Agency, Aberdeen		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
D. Cooper	Cooper Animal Clinic, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
nnis C. Kraft	Superintendentof Schools, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
avid L. Nelson	Pastor, First Assembly of God Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Edward J. LeDuc	Advertising Director, Aberdeen American News		Moving Aberdeen Area Office to Rapid City.	
Rose A. Heller	Aberdeen Chiropractic Clinic		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Dean P. Karlen	District Manager, Equitable Life Assurance, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Betsy Rice	Public Relations Director, Northern State College, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Donna M. Smith	Stewart School of Hairstyling, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Russell E. Podoll	S.D. Area Manager, Scherbenske Excavating, Inc., Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Grant H. Oleson	Field Director, Northwestern Mutual Life Insurance, Aberdeen		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Keith Kusler	College Unit Director, Northwestern Mutual Life Insurance		Moving Aberdeen Area Office to Rapid City.	
Laree H. Podoll	Special Agent, Northwestern Mutual Life Insurance		Moving Aberdeen Area Office to Rapid City.	
Damian L. Prunty	Special Agent, Northwestern Mutual Life Insurance Company		Moving Aberdeen Area Office to Rapid City.	
James T. Glover	Vice President, Safeguard Power-tech Systems, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
E. [illegible]plow	Vice President & Marketing Officer, First National Bank, Aberdeen		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Don Anderson	Senior Vice President, First National Bank, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Lee Cleberg	President & General Manager, Firestone Tire, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Mark Larsen	President, Aberdeen Area Chamber of Commerce		Petition with 225 signatures Moving Aberdeen Area Office to Rapid City.	
Mark Larsen	President, Aberdeen Area Chamber of Commerce		Petition with 1,330 signatures Moving Aberdeen Area Office to Rapid City.	
James Lawler	Aberdeen citizen		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
C. L. Moon-Hoyt	Aberdeen Chiropractic Clinic		Moving Aberdeen Area Office to Rapid City.	
Frank Bohall	Executive Director, Brown County United Way, Inc.		Moving Aberdeen Area Office to Rapid City.	
Richard Letherer	Optometrist, Aberdeen		Moving Aberdeen Area Office to Rapid City.	
Laura Hilgemann	Aberdeen Chiropractic Clinic		Moving Aberdeen Area Office to Rapid City.	
Harvey Aman	United Federal Savings & Loan		Moving Aberdeen Area Office to Rapid City.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Larry A. Sroufe Aberdeen, So. Dak.	General Public		Leave BIA office in Aberdeen, So. Dakota	
William Clark Aberdeen, So. Dak.	General Public		"	
Gene Helgeson Aberdeen, So. Dak.	General Public		Move Billings to ABD & expand present bldg.	
Deloris Inman Aberdeen, So. Dak.	General Public		Leave BIA office in Aberdeen, So. Dakota	
Thomas H. Seiler Aberdeen, So. Dak.	General Public		Not saying BIA should remain in ABD, just asking if move is tax effective.	
Joseph Rieger Aberdeen, So. Dak.	General Public		Retain BIA in ABD; it makes economic sense.	
Charles Pelton, M.D. Aberdeen, So. Dak.	General Public		"	
Wesley Rueb Aberdeen, So. Dak.	General Public		"	
Vi Defnis Aberdeen, So. Dak.	General Public		"	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

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NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
sborn Clothing Co. berdeen, So. Dak.	General Public		Retain BIA in ABD.	
ack H. Pred berdeen, So. Dak.	General Public		"	
illiam Schaunaman berdeen, So. Dak.	General Public		"	
yrell Satrang berdeen, S. Dak.	General Public		"	
Lenore Larson Aberdeen, So. Dak.	General Public	To streamlining	but retain BIA in ABD.	
Don Lang Aberdeen, So. Dak.	General Public		"	
Duane Harms Aberdeen, So. Dak.	General Public		Reconsider and review economic soundness of move.	
in Dutenhoffer rdeen, So. Dak.	General Public	"	but retain BIA in ABD.	
aul T. Reisch Aberdeen, So. Dak.	General Public	"	"	
Linda A. Fordham	General Public	Supports wastful govt spending & elimination of unnecessary programs.	"	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

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NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
larence Longie	General public			Proposed reorganization.

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

SOUTHWEST

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NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Kathleen Miller Herbert Becker Albuquerque, NM	U.S. Attorney Department of Justice Albuquerque, NM			Rights Protection Office at Albuquerque should be adequately staffed to handle Indian water rights cases.

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Willis Dixey Ft. Hall, Idaho	Chairman, Shoshone-Bannock Tribes, Fort Hall Business Council		Res. #82-5867 until all Federally-recognized tribes have their input before realignment takes place.	
Bert Sloan Laytonville, CA	Chairman, Cahto Tribe Laytonville, Rancheria		Opposed due to incomplete briefing and explaining of the Plan; Resolution calling for oversight hearings before implementation.	
Rep. Duncan Hunter	On behalf of Rachel A. Bluestone, American Indian Coordinator, St. of Calif., Governor's Office		Opposed to closure of Sacramento Area Office due to no opportunity for Calif. Indians to consult w/BIA; will create hardship when services are divided between Portland and Phoenix.	
Sen. Alan Cranston	On behalf of Elsie Ricklefs, Chairman, Hoopa Valley Business Council		Requests stay on decision until tribal input is received. Concerned on removal of No. Ca. Agency to Redding; 10% Forestry admn. funds to Treasury; decision on local agency.	
Mr. & Mrs. Norman Roller, Salem, Ore.	General Public.	Approve "excellent program you are enforcing . . ."; BIA has been fiscal liability . . ."		

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
omas Pablo	Chairman, Confederated Salish and Kootenai Tribes	(Tone of mailgram indicates approval of reorganization with concerns only on jurisdiction)		In reorganization, tribe requests transfer jurisdiction of Flathead Reservati from Billings to Portland
ong. Philip Burton				Concerned that closure of S will create hardshipon Cali tribes; Indians in Calif we not consulted; Consultation before decision is made.
Cong. Vic Fazio				Urge reconsideration of Pla do to limited services to Calif tribes and no involvement by tribes in the decision for reorganization.
Cong. Robert Dornan	On behalf of Mary Mae Morton, Chairperson, Cortina Band/Calif			Reorganization will drastically change delivery of ser to Calif tribes. Request for oversight hearings remain valid.
Mary Mae Morton Chairperson	Cortina Band/California			Alternative to proposed realignment. Request provision be made to ensure a California Service Center.

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Ron Jensen	Flathead Joint Board of Control			Recommends Irrigation Projec & Agency under different Regional Offices or have Project report directly to Central Office for better services.
Leo James Chairman	Pit River Tribe			In support of agency move from Hoopa to Redding, California.
Cong. Robert Matsui			Closing Sacramento Area Office, hardship on tribes to report to Phoenix and Portland, demanding a one year moratorium on proposed location.	

WESTERN REGION

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
illip Stags, Jr. iteriver, AZ	Director, Game & Fish Dept. White Mtn. Apache Tribe		to Portland as lead region for Fisheries. Alternative site sugg: Denver for establishment of Tech. Service Unit	
rchel Andrews ottsdale, AZ	President, Salt River Pima-Maricopa Ind. Community	Reorganization long overdue.		Authority of Agency Superintendents should be expanded in the reorganization.
ana Norris, Sr. acaton, AZ	Governor, Gila River Indian Community	Encouraged BIA may at last listen to tribes; cut redtape & bureaucrats; place decision-making close to field.		Delegate to Agencies as many functions as possible in the reorg.
inda Lame Bull . Bidwell, CA	Ft. Bidwell Indian Community Council	Favorable but requests Ft. Bidwell Reservation be placed under Portland.		
aul Chaves Bishop, CA	Tribal Chairman, Bishop Indian Tribal Council		Protests closure of Sacramento A/O due to isolated location, increased travel costs.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

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NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
elbert Havatone each Springs, AZ	Tribal Chairman, Hualapai Tribal Council	Favorable. Requests keeping Truxton Canyon Agency at its present location.		
heodore Smith, Sr. amp Verde, AZ	Tribal Chairman, Yavapai-Apache Tribe	Favorable. Suggests current A/O's be closed and agencies reinforced; w/experiences personnel retained from A/O; all A/O's be replaced by three regional offices strategically located; Western Regional Office be located in Denver; the three regional offices should act as clearing house for agencies located within their immediate regions; and Truxton Canyon Agency be moved to Prescott, AZ		
Sen. Paul Laxalt	On behalf of Billy Frye, Tribal Chairman, Las Vegas Paiute Tribal Council, Las Vegas, Nevada	"You can count on our cooperation on this issue" (Reduction or elimination of the Bureau of Indian Affairs - Phoenix Area Office)		
Joy Sundberg hairman	Trinidad Rancheria/Calif		Closure of Sacramento Area Office	
Joy Sundberg Chairman	Trinidad Rancheria, California			Request moratorium on reorganization. Cannot compete with large tribes in Arizon and Portland.

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Sen. B. Goldwater	On behalf of Annie Wauneka, Navajo Tribal Member			Cease plans until tribe is consulted re contracting plans under PL 93-638 planned by McDonald/Watt.
Sen. P. Domenici	"			"
Sen. J. Melcher	"			"
Sen. Wm. Cohen	"			"
Robert S. Kenner Juneau, Alaska	President, BIA Council, NFFE			"

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Edward Thomas Ketchikan, Alaska	President, The Federation of Southeast Alaska IRA Council		Rationale does not justify moving Area Office to Anchorage; requests summary of staffing plans; how much money will be saved by this adjustment.	

CONSULTATION SUMMARY

OVERALL

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

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NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Hon. Morris Udall	Chairman, Committee on Int. and Insular Affairs House of Representatives			Requests meeting to discuss status of Reorg. and answer questions; 12 questions on overall reorganization.
Jake Whitecrow Denver, Colorado	Executive Director, National Indian Health Board, Inc.	Tighten up management; Restructure BIA to implement self-determination.		Relaying content of tribes due to no consultation; re-comments following recommendations made by the AIPRC.
Hon. Wm. S. Cohen	Chairman, Select Committee on Indian Affairs United States Senate			Advising of his request to GAO for review of studies since 1975; status of proposed reorganization.

EDUCATION REORGANIZATION

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Ben Ahrendt, Jr. Marty, SD	Supt., Marty Indian School	(tone indicates gen approval of reorg. of BIA office of Rapid City).		Recommend Regional Educ. Dept., be located at Reg. office in Rapid City and Branch Educ. Office by located in Minneapolis
Larry Huckins Mandaree, ND	General Public	In reorg., location of regional office should be at Bismarck, North Dakota instead of Rapid City.		
Sen. Q. Burdick		Recommends Bismarck as site for regional ofc.	Do not support consolidation of Upper Midwest A/O at Rapid City.	
Austin Gillette New Town, ND	Chairman, Mandan, Hidatsa, and Arikara Tribes	Recommends Bismarck, ND as site for both BIA and educational services. Recommends re-examination of decision on site of reg. ofc.		
Reuben Snake, Jr. Winnebago, Nebr.	Vice-Chairman, Winnebago Tribe of Nebraska		Involve tribal participation on decision; leave Area Offices in present locations w/existing services; eliminate incompetent personnel in govt offices; place tribal economy as top priori in reorganization decisions.	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Gerald Schuchard	General Public			Education Office should be established at each Region: Office.
John Hass	Tribal member		Closing Film Unit at Office of Technical Assistance & Training.	
William May	Tribal member		Closing Film Unit at Office of Technical Assistance & Training	
Chuck Conroy	Tribal member		" " "	
Jeanne Salt	Tribal member		" " "	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Lois Hirst	Tribal member		Closing of Film Unit at Office of Technical Assistance and Training	
Joan Estes	Tribal member		" " "	
Sarah Tuchavena	Tribal member		" " "	
John Demchak	Tribal member		" " "	
Edward Doler	Tribal member		" " "	

CONSULTATION SUMMARY

REALIGNMENT OF THE BUREAU OF INDIAN AFFAIRS

59 of 59

NAME	ORGANIZATION	FAVORABLE	UNFAVORABLE	OTHER
Blanche Barrows	Tribal member		Closing of Film Unit at Office of Technical Assistance & Trainin.	
Cong. James Hansen				Members of Film Unit at OTAT concerned about futur operation of their unit.
Senator Jake Garn				Concerned re phase-out of OTAT.
Cong. James Hansen				Rather than phase out trai and assistance at OTAT consideration be given to a proposal allowing OTAT t to operate under a user charge system.

Senator COHEN. Ms. Horse.

STATEMENT OF ELLA MAE HORSE, RECORDING SECRETARY, NATIONAL CONGRESS OF AMERICAN INDIANS

Ms. HORSE. Thank you, Mr. Chairman.

Mr. Chairman, members of the committee, ladies and gentlemen, my name is Ella Mae Horse.

I am the recording secretary for the National Congress of American Indians, the oldest and largest advocacy group for Indian rights in the Nation.

I am here today to present NCAI's concerns about the Department of the Interior, Bureau of Indian Affairs' realinement plan.

We agree that the Bureau of Indian Affairs must undertake efforts to eliminate the administrative entanglements and redtape associated with providing tribal services. We are also aware that the proposed realinement is intended to effectuate a $16 million saving in Bureau overhead costs at the midmanagement level.

However, we are not satisfied that the realinement plan has been given sufficient consideration in terms of problems that will emerge at the tribal level should implementation proceed. The majority of our member tribes have indicated that they oppose the realinement plan due to a variety of stated reasons.

These are briefly summarized as follows:

No. 1, the tribes are concerned that the realinement plan which calls for a spreadout of specialized services such as forestry, range management, water rights, irrigation, and minerals, will result in increased time and expense on the part of the tribes.

This concern is entirely justifiable given the possibility that tribes would be required to seek assistance in these areas from BIA offices situated in diverse geographic locations.

No. 2, various tribes are also concerned that the arbitrary determination of boundaries concerning area offices will split tribes possessing common problems within a common geographic area. These tribes should approach problems that can be cured through a concerted effort through the auspices of the same BIA service office.

No. 3, the primary tribal concern has been that the proposed plan will result in a loss of BIA services. Within the realinement plan, it is stated that one prime objective is to strengthen tribal and Alaska organizational capacities for engaging in contract and grant operations under the 638 contracting process.

It is further stated that the reorganization will effectuate a strengthening of Bureau contract and grant functions, oversight and compliance, property management, and technical assistance.

We seriously question the Bureau's ability to provide increased services and accountability in conjunction with budget and personnel reductions.

Our member tribes also have indicated that the consultation process concerning realinement is wholly inadequate; that they were not supplied with sufficient information to arrive at a considered opinion upon the merits of the realinement plan.

To exemplify this statement, the Tlingit-Haida Tribe of Alaska indicated during a telecon of June 10, 1982, that they perceived that insufficient expertise existed at the Bureau central office to adequately address Alaska Native problems.

Further, they perceived that the proposed special office of Alaska would, in turn, lack sufficient authority to deal with emerging problems and that logistic delay would result in dealing with Alaska Native specific concerns.

The National Congress of American Indians, therefore, has taken the position that a moratorium must be called on implementing the BIA realinement plan until such time as adequate information is obtained and analyzed to assess the tribal impact thereof. This may entail a total workload analysis of increased tribal requirements due to the realinement process.

While Mr. Watt states that time is a major factor and implementation must proceed without delay, the National Congress of American Indians must stress that the tribes would suffer due to ill-considered policy implemented with unbridled haste.

This concludes the statement of the National Congress of American Indians. I will be happy to answer any questions you may have. Thank you.

Senator COHEN. I thank you very much.

Frankly I do not have any questions to put to you other than that of the consultation aspect.

It is my own view that whenever you talk about reorganization, that includes, as I mentioned earlier, the reorganization of the State and Federal programs.

There should be something done in terms of calling them in—in terms of the implication for the turnover projects. We do not intend to move on a New Federalism until we thoroughly discuss the implications.

If there is any criticism that seems to run through your testimony and that of the prior witness—and I assume those who follow you will be similar—that there has been very little in the way of consultation and actually sitting down and thinking through what the implications would be for this reorganization plan. It may be or it may not be. I am not in a position to make that judgment today.

As you may have gathered from some of the questions that those of us here have been asking, we have not secured much in the way of information during the past several months.

So I assume what has taken place is that an OMB decision was made that $16 million was going to be saved and they had to go out and do something and they had to come up with a way to save it.

As I indicated earlier, I am not suggesting that necessarily is not the way in which many reorganizations are actually made when faced with high budget deficits as we are.

We all are called upon to look for ways in which we can save money. But that has to be only one factor involved in the entire reorganization program. Can you save the money? What is the cost of saving those dollars in terms of programs and policies and plans and in human terms?

Frankly, I have not had a chance to really examine it in that respect. Some aspects that I heard this morning sounded quite attractive to the extent that we can centralize expertise in various areas and keep people, good people there to provide the technical assistance. That is very good.

But I am really not in a position to make that judgment until I have had the benefit of your objections.

Then we will match that up with the testimony we have heard today and follow that up as quickly as we can. Time is pretty much of the essence here. There will be a decision made in a very short period of time. I think all the committee members want to be in the possession of as many facts as we possibly can. I thank you for your efforts.

Mr. Savilla?

Mr. SAVILLA. I would like to make one more point.

As for service delivery, mention was made of the fact, by Senator Melcher, about the reason for a large tribe, like the Navajos, having one area office by itself.

It would seem to me that the more tribes you have to service from an agency or office, the problems are multiplied, whereas with one tribe there is one program.

In the case of California, for example, regarding the BIA's small tribes initiative, which is trying to help small tribes develop their administrative ability and the policies with regard to that small tribe help, say they will fund consortiums of small tribes in a certain range of population if they meet that figure.

In California some of those tribes are so small that even in consortia they would not meet the population requirements. Therefore, they could not qualify for the small tribes initiative. So, there is more need for a small and very strong service center to serve those California tribes, both North and South, because there are, at the present time, 84 federally recognized tribes in the State of California; more than any other State. Yet, as I mentioned before, one of the smallest budgets is there to care for thim. So, they are continually forgotten. They continue to be in this particular plan.

Senator COHEN. Thank you all very much for your testimony.

Our next panel of witnesses will consist of William P. Yellowtail, Jr., acting director, Montana Inter-Tribal Policy Board; Joy Sundberg, chairwoman, Trinidad Rancheria, representing the California Inter-Tribal Policy Board; and Roger Jourdain, chairman, Red Lake Band of Chippewa Indians, representing the Great Lakes Inter-Tribal Council.

Mr. Yellowtail.

STATEMENT OF WILLIAM P. YELLOWTAIL, JR., ACTING EXECUTIVE DIRECTOR, MONTANA INTER-TRIBAL POLICY BOARD, BILLINGS, MONT.

Mr. YELLOWTAIL. Thank you, Mr. Chairman.

I am acting executive director of the Montana Inter-Tribal Policy Board.

I am honored to have the opportunity to appear before you today to present the views of the Indian tribes of Montana and Wyoming regarding the proposed realinement of the Bureau of Indian Affairs.

Twelve tribes residing on the eight Indian reservations in Montana and Wyoming have clearly established, and remain committed to their opposition to the reorganization plan of the BIA as it has been recently proposed. The tribes concurred on their position as early as November 17, 1981. They have reaffirmed the same basic position repeatedly since then.

The stated goal of this administration is to bring Government closer to the people. The proposed BIA realinement seems to contradict that policy by actually removing accessibility to the BIA to decisionmaking structure.

The tribes have not seen any detailed assurance that technical service capabilities and decisionmaking authority, which is now housed in the area office, and proposed to be eliminated, would be increased at the agency level.

Indeed, the Bureau already has begun an assessment of the potential for agency and agency function consolidation and the tribes can only interpret this as an intent to continue the trend of reduced Federal commitment to trust and treaty responsibilities.

If anything, the tribes need more, not less, assistance from BIA in development and management of the human and natural resources and potentials.

The Montana and Wyoming tribes vigorously object to the proposed consolidation of the Billings and Aberdeen office into a single regional service center in Aberdeen, S. Dak.

The high cost of this concept, both in terms of money and disadvantages to the tribes does not justify the rather minimal administrative savings that would ostensibly be achieved by the consolidation.

The tribes seriously question whether real savings can be achieved by the proposed north central regional service center.

First, it would appear that the substantial implementation costs of moving equipment and personnel and severance costs associated with reduction-in-force and so forth, would offset a significant portion of administrative savings for several years to come.

Second, the realinement will impose a tremendous cost burden upon the tribes and the public by simple virtue of the isolation of Aberdeen, S. Dak., from the Montana tribe. For example, travel and communication costs for the tribes to gain access to the Aberdeen office will increase by up to 500 percent in some cases. This consideration is compounded by the fact of winter travel conditions during the 4 to 6 months of the year of winter.

In fact, the regional service center itself would be affected by the increased distance to the reservations in the same proportion as the Billings, Mont. officer personnel who can personally reach any one of the reservations within 1 to 3 hours. The additional travel from Aberdeen to Billings would require no less than 9 hours and a round trip airline fare cost of $618. The delayed response time inherent here will constitute a significant disadvantage in certain situation.

The long-term costs, both for the tribes and BIA, will probably not have been considered in the balance of north central region cost efficiency.

The tribe seriously doubts the administrative feasibility of handling the combined responsibility of two of the largest area offices in the country. The north central region would contain 23 tribes and two-thirds of the trust land currently under BIA jurisdiction.

The Montana and Wyoming tribes are genuinely concerned that their affairs will not receive full priority in such a large region and that they, in all likelihood, would be stepchildren of the already established Aberdeen office.

The present area offices are, by their own assessment, having difficulty in serving the increasing needs of the tribes in the fact of budget cuts and administrative constraints, such as travel restrictions, personnel hiring freezes, and so forth. Consolidation of area offices can only compound these problems.

If anything, the tribes needed expanded BIA staff and services to assist with the current boom in natural resource development that is ongoing in Montana and Wyoming.

Tribes reject the concept of a token Billings field office as woefully inadequate. The Montana and Wyoming tribes insist that the Billings area office is necessary as a full-fledged regional service center.

The following are a few points which will illustrate this need. The Billings area office currently serves 12 tribes on 8 reservations with a total trust land base of more than 7 million acres. There are approximately 1,300 oil and gas wells currently operating within the reservations. There is tremendous expansion likely. Two reservations have a combined total of 15 billion tons of coal reserves with 1 strip mine currently in operation and another in the process of development.

Montana currently is the focus and testing ground of nationally important Indian rights issues. Coordination between the BIA, the tribes, and other Federal and State government agencies is a critical consideration that is easily overlooked.

The Billings area office now has the advantage of next-door proximity with the regional offices of the Bureau of Reclamation, Bureau of Land Management, and Indian Health Services, and major offices of the USGS and the Forest Service.

The ability to interface easily with private industry is especially important in the context of rapid natural resource development among the tribes in Montana and Wyoming. Billings currently is the base of activity for numerous oil, gas, and minerals exploration and development firms operating in the Rocky Mountain region. Aberdeen does not enjoy these benefits.

As you can see, there are considerable needs for, and advantages to retaining Billings as a major BIA area office or regional center, as it may be called. The tribes in Montana and Wyoming have, in fact, had no opportunity for a meaningful consultation in this matter.

The Bureau apparently has been unwilling to allow genuine tribal participation or input in their planning process. They have even been reticent about sharing timely information about the realinement plan. In effect, we feel we are being asked to buy a pig in a poke. The tribes cannot accept either the process or the product.

The only meaningful input that the tribes have had, except for repeated objections to the process, has been at their own initiative in devising and offering to BIA a proposal for an alternative to the realinement concept as it was proposed.

Our proposal is based upon the premise that genuine cost savings can be achieved by streamlining the existing area office structure without hindering delivery of trust and treaty services. In fact, the proposal offers suggestions for enhancing the ability of the area office to respond efficiently and realistically to tribal needs.

But the basic idea is to cut the fat to save money. There is fat among some of the area offices. The tribes feel that their proposal remains legitimate in principle.

Our 12-page proposal, by the way, only received a 3-sentence acknowledgment of receipt from BIA.

In summary, Mr. Chairman, I must say that we are in an awkward position today of arguing in favor of an administrative structure that we have long and vociforously opposed and criticized. But this is because we are not convinced that the alternative currently under consideration will constitute any improvement.

Further, the tribes are currently sympathetic with the need to achieve cost savings. But again, we are not convinced that the proposed realinement will produce genuine cost efficiency in the total picture.

Thank you.

Senator COHEN. Thank you very much.

Ms. Sundberg.

STATEMENT OF JOY SUNDBERG, CHAIRWOMAN, TRINIDAD RANCHERIA, REPRESENTING THE CALIFORNIA INTERTRIBAL POLICY BOARD, TRINIDAD, CALIF.

Ms. SUNDBERG. Thank you, Mr. Chairman.

My name is Joy Sundberg, and I am chairperson of the Trinidad Rancheria. I am one of those unpaid travel chairmen from California from a very small rancheria.

Today I am here representing the chairman of the Big Lagoon, Resighini, Table Bluff, and Trinidad Rancherias of northern California and the Cortina and Benton Paiute Reservations of central California.

With those four, I do not think we could qualify under the small tribes initiatives because our area is very small. They have some acreage, but they are so far out in the boondocks that it is hard for anybody to make a living.

I have a prepared statement which I will read into the record.

As a representative of these small reservations, I want to express our opposition to the proposed realinement of the Bureau of Indian Affairs and to state what the potential effects on the central and northern California tribes will be. We are not really opposed to the reorganization because we realize, especially in California, how badly we need some kind of a structure to work properly to help the tribes.

California has an Indian population of 201,311. It is 14.19 percent of the national Indian population and the largest of any State in the country. I was concerned when there was mention made of the large Navajo reservation area. California has a tremendous geographical area and a large population as well. This is one of the reasons we would like to keep a service center in California.

Almost half of the California population reside on reservations and in other rural areas of the State. Indian people continue to have the lowest income levels, the least education, the poorest housing, and the highest rate of unemployment.

Last year the *average unemployment* on 70 reservations exceeded 45 percent with over 85 percent of the households below the poverty level. They had the highest incidence of death from health- and accident-related causes. Currently there are 12, or parts of 12, reservations that do not have electricity.

Certainly when one considers the magnitude of these problems, to propose that the area office be eliminated in California and its functions transferred to Phoenix and the Portland regional offices will, without question, create an even greater hardship on California Indians to conduct tribal business. Even now, it is difficult for tribal officials to get to Sacramento because existing travel funds are so scarce and many of the small tribes do not have adequate resources.

Some of the tribes have received hardly any services from the Bureau all these years. As a matter of fact, a couple of tribes will not allow them on the reservation. They have been so afraid of termination. How the Assistant Secretary envisions this as being a positive step toward enhancing service delivery to California is beyond me. Also, he has never bothered to convey to us why he thinks it is better for us. I questioned him a couple of weeks ago in San Diego and the only response I got was a smile.

We talked about a response, but we have yet to receive a response that the plan has been looked at. We have not gotten a response. As a matter of fact, even our Senator from California, Senator Cranston, has not gotten a response.

Senator COHEN. Even this committee has not gotten a response.

Ms. SUNDBERG. Even though California has the largest Indian population and more than 80 federally recognized tribes, the Bureau of Indian Affairs budget for California has decreased from a high of 1.93 percent of the total Bureau budget in fiscal year 1973 to 0.97 percent in fiscal year 1982.

Now the fiscal year 1983 budget projects that California will receive only 0.56 percent of the total BIA budget. This decrease has occurred even though the "on or adjacent" figure for California has doubled since 1980 to 17,861, or 2.43 percent of the national total of 734,895. Clearly, we want to raise the equity issue and how California has repeatedly come up on the short end of the funding stick.

I do not even know why Indians have to take a $16-million cut. It seems like they could take it out of the foreign affairs budget or something. I think the Government does have a responsibility to the Indians. We should not have to take the cut, period.

Recently, the Sacramento area office received word that it must find $500,000 to be used as a part, or all, of the closedown costs in terminating the area office operations. We found that out yesterday.

Realistically, the only place that those funds can come from is from existing Bureau-operated programs, and at the expense of the recipients of those services, the Indians of California.

Surely this type of administration, or management—as the Assistant Secretary likes to call it—cannot be deemed as being in the best interests of Indian tribes. The Indian people of California have had enough and we are saying we do not want any more of this.

When the Assistant Secretary, Ken Smith, shared his wisdom in San Diego and hurriedly left through the back door, I felt that there were issues that remained not only unanswered but unresolved. For instance, it was pointed out that we should be willing to acknowledge that the Bureau budget contains fat and should and could be trimmed.

He later noted before the General Assembly that OMB had requested that the BIA budget be reduced by $16 million. Although OMB may be satisfied with the reduction of $16 million in fiscal year 1983, how much will they request in the fiscal year 1984 budget? $10 million? $20 million? Those are no unrealistic figures considering the fact that Mr. Smith himself said, when asked about the saving, that the savings were being directed at reducing the Federal deficit, which even by administration sources, is projected to be greater in the next several years.

We also should not be quick to forget the results of the fiscal year 1982 budget. The reconciliation process for the fiscal years 1981 and 1982 recissions and the affect they have had upon Indian program dollars in the area of housing, health, and education, to name just a few, are included there. At what point is the fat trimmed? Will we simply bear witness to the OMB dismemberment of the Federal trust responsibility and the Bureau of Indian Affairs?

It is clear that the path that Interior has chosen to follow is not one that is sympathetic to, or in the best interest of, tribes.

As Mr. Smith often says: "A good manager must be able to make decision and be held accountable." Please help us hold him accountable now.

For example, the Interior Department has initiated almost no cases on behalf of Indian tribes since Mr. Watt took over. In addition, the Department has also entered into the policy, which has so far been resisted by the Justice Department, of giving State courts jurisdiction in Indian water rights cases.

Further, when on considers the Bureau's reorganization plan, and the opposition it aroused because of the many unanswered questions, it was disconcerting to learn that when an Interior official was asked by Congressman Yates in recent hearings about the extent of opposition to the proposed plan, he responded that he was not aware of any, despite the fact that 26 central and 4 northern California tribes developed an alternative proposal that was submitted to Interior in April.

This type of accountability suggests that tribes may not be fairly represented by one of their trustees, the Interior.

I strongly encourage a fair review and hearing of the California alternative proposal, which requests that a service center, not an area office, be maintained in California.

As the Federal Government continues to relinquish more authority and responsibility to the States for program delivery, Indian tribes must have assurances that the Federal obligations to Indian tribes are not simply passed along, but continue to be recognized as an ongoing commitment. This is a commitment that is not only moral, but one that is also legally just.

I have another point to make, Mr. Chairman. I am sure that the Bureau has spent thousands of dollars to reorganize and the money has to be kept from program funds or go directly to tribes for people in tribal services.

We would like to call for some oversight hearings from Mr. Yates and Mr. Udall out in California, sometime in the near future. We would like to call for a moratorium for at least 18 months to look at some of the other plans.

We know what is best for California. We know who is inefficient in the Sacramento office. We know who is efficient and we know who has been giving the services and who has not.

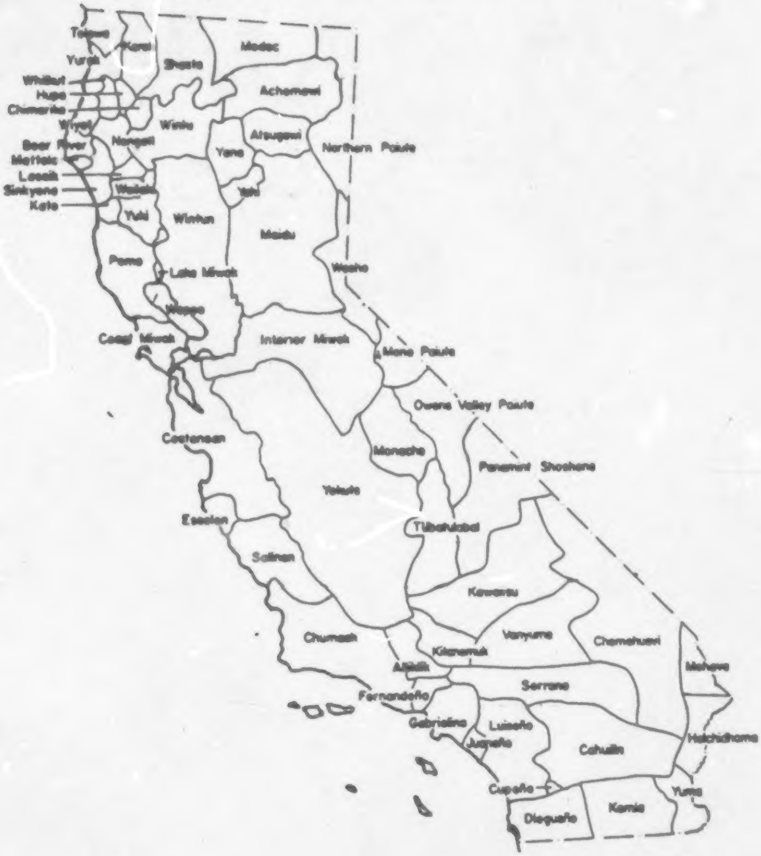
It is time for an update. We have all this in our alternative plan. We have been able to cut $90,000 by eliminating one office instead of duplicating two offices in Sacramento.

I want to thank you very much.

Senator COHEN. Thank you. The documents accompanying your testimony will be inserted in the record at this point.

[The documents follow. Testimony resumes on p. 218.]

ABORIGINAL TRIBAL BOUNDARIES


Tolowa
Karok
Yurok
Shasta
Modoc
Whilkut
Hupa
Chimariko
Achomawi
Wiyot
Wintu
Atsugewi
Bear River
Nongatl
Northern Paiute
Mattole
Yana
Lassik
Sinkyone
Wailaki
Yahi
Kato
Yuki
Wintun
Maidu
Pomo
Lake Miwok
Washo
Wappo
Coast Miwok
Interior Miwok
Mono Paiute
Owens Valley Paiute
Costanoan
Monache
Panamint Shoshone
Yokuts
Esselen
Tübatulabal
Salinan
Kawaiisu
Chumash
Vanyume
Chemehuevi
Kitanemuk
Alliklik
Mohave
Serrano
Fernandeño
Gabrielino
Luiseño
Juaneño
Cahuilla
Halchidhoma
Cupeño
Yuma
Diegueño
Kamia

PROPOSED ALTERNATIVE FOR REALIGNMENT FOR CENTRAL AND NORTHERN CALIFORNIA BUREAU OF INDIAN AFFAIRS

BY

26 CENTRAL CALIFORNIA AND 4 NORTHERN CALIFORNIA TRIBES

April 15, 1982

Summary

Twenty-six tribal governments in Central California and four Northern California tribal governments and several Northern California tribal officials are opposed to the proposed Bureau of Indian Affairs (BIA) re-alignment and have made numerous requests for congressional oversight hearings on the proposed BIA re-alignment.

Herein is the proposal by these tribal governments which would maintain a California Services Center in Sacramento for these tribes to relate to. These tribes have indicated on several occasions that it would be an undue hardship to relate to Portland and Phoenix Regional Offices.

This proposal would also ensure that there is not a reduction in the budget as is currently proposed for California tribes. Since FY 1973 the BIA budget for Californai has decreased from 1.93% of the total BIA budget to 0.97% for FY 1982. The FY 1983 budget for California tribes is proposed for 0.56%

The BIA has a trust responsibility to preserve the inherent rights of tribal self-government and to provide resources to tribal government programs--California tribes are only asking for equitable and fair treatment.

ALTERNATIVE TO ADMINISTRATION'S PROPOSED BIA REALIGNMENT FOR CALIFORNIA

INTRODUCTION

The Bureau of Indian Affairs was created in the War Department in 1824 and in 1849 was transferred to the Department of the Interior. The history of the relationship between Indian tribes and the U.S. Government reveals that the mission of the BIA was founded on a government-to-government relationship and the trust responsibility. The Bureau, therefore, as an agent of the U.S. Government, recognizes a fundamental responsibility to American Indian tribes, Alaska Native groups, and the tribal form of government. The Bureau's mission is presently viewed as three-fold: (1) to recognize and preserve the inherent rights of tribal self-government, to strengthen tribal capacity for self-government, and to provide resources to tribal government programs; (2) to pursue resources for and to protect the rights of Indian people in dealing with other governmental entities and the private sector; and (3) to fulfill and execute the Federal Government's trust obligation to American Indian Tribes.

According to the U.S. Department of the Interior Budget Justifications for FY 1983 p. BIA 7, "A primary Bureau goal is to support and encourage greater opportunity for Indian self-determination." It is because of this self-determination the 26 California tribal governments present this alternative to the Reagan Administration's plans to close the Bureau of Indian Affairs (BIA) Sacramento Area Office and to split up the State by sending ten California tribes to a Portland Office to compete with 39 other tribes, and adding 66 California tribes to 42 tribes already receiving limited services from the Phoenix Area Office.

BACKGROUND INFORMATION

California's Indian population of 201,311 is the largest of any state in the country and 14.9% of the total national Indian population. There are 84 federally recognized tribes in California, and most of them are in very poor economic conditions with very few resources. The reservation unemployment rate exceeded 45% on 70 reservations during Fiscal Year 1980-81 and is increasing with unemployment at 80% on some reservations. Currently there are 12 (or parts of) reservations that still do not have electricity. Adequate water and sanitation facilities are at a premium. Only 50 of the 80 tribes receive funding under the Indian Child Welfare Act, P.L. 95-608.

Even though California has the largest Indian population and 80 tribes in need of governmental services, California has not received an equitable proportion of total BIA funding (see Table 1 and Table 2). Part of the rationale for perpetual inequitable BIA funding for California has been the number of Indians "on or adjacent to" reservations. Even though the Sacramento Area Office provided services to approximately 40-45,000 Indians in FY 1980, the BIA Central Office in Washington, D.C. recognized as "on or adjacent to" reservations 8,931 Indians (see Table 3). The current BIA FY 1982 budget utilizes 17,861 California reservation Indians as its population base, or 2.4% of the nation's total. Despite this fact the FY 1982 budget of $14,337,400 for the Sacramento Area is only .97% of the total BIA budget.

Since FY 1973, the Sacramento Area budget has decreased from 1.93% of the total BIA budget to .56% of the total BIA budget proposed for FY 1983. Even now the data for determining California BIA service population is still inadequate (see Exhibit A).

It is very obvious that the BIA has consistently ignored the needs of California's Indian tribes. Now, the Administration's proposed realignment further ignores the needs of California's tribes; and, in fact, did not consult with California tribes prior to proposed realignment. Although realignment may not affect many tribes across the country, it will further impose an undue hardship on California tribes that even have a hard time getting to Sacramento as often as necessary.

PROPOSED REALIGNMENT

The recently proposed realignment of the Bureau of Indian Affairs organizational structure has placed California tribes at a disadvantage in their attempts to become self-determining. The Assistant Secretary - Indian Affairs has accomplished this by:

- Proposing an organizational abolishment of all Bureau of Indian Affairs Area offices which presently perform its middle management functions;
- Abolishing nine advanced level, central office technical assistance divisions located outside of the Washington, D.C. area, and demoting their organizational stature to that of regional staff offices, answering to select regional service center directors. This represents a definite loss of organizational stature from that of central office level directorate staff to the Deputy Assistant Secretary - Indian Affairs (Operations);
- Replacing these area offices and selected central office organizations with a limited amount of "service centers" formed through the abolishment, consolidation and reorganizations of the former area offices;
- Abolishing the Bureau middle management function and presence from its current geographical location in the state of California, thus severely limiting the accessability of California tribes and BIA agencies to a federal middle management presence in the form of administrative and programmatic capability;
- Dividing the current Sacramento Area Office service population between two out-of-state service centers formed predominantly from the present Phoenix Area Office and Portland Area Office jurisdictions, and including a part of the Billings Area Office jurisdiction; and

- Dividing and reconstructing the California geographical areas and tribal communities which have become accustomed to dealing with the area office organizational structures and combining them with tribal communities which have no common cultural background, or economic and educational development needs or accomplishments.

The Portland and Phoenix Area Offices, their agencies and tribal constituents have experienced a long history of a federal presence performing middle management Bureau of Indian Affairs functions. Consequently, their average levels of tribal government capacity building, economic and educational development, and standard of living conditions as well as their levels of tribal sophistication in negotiating with the BIA, other federal and state agencies exceed those of the California tribes.

The level of California tribal economic development has not advanced to that presently enjoyed by some Northwest and Southwest tribes which have had the advantage of high levels of technical assistance, from both the central office oversight and area office middle management levels for over twenty-five years. Mineral, forestry, and real estate development; expansion of grazing and animal husbandry capabilities; development of land leases and tribal business enterprise, as well as advances in educational opportunities have flourished in these areas in comparison with the economic and educational development levels of the California tribes. Standards of living, although low throughout Indian country, are especially below poverty level among California reservation Indians.

Withdrawal of the Federal middle management presence from the direct access of the Central California tribes is neither organizationally sound nor based upon objective statistical research or on professionally structured organizational studies. There are no recently published reports revealing that the Department of the Interior conducted, or caused to be conducted, objective, statistically based organizational studies and need assessments which indicated:

- The actual amount of federal middle management presence necessary to adequately fulfill the federal fiduciary and trust responsibilities which comprise the mission of the Bureau of Indian Affairs;
- Clearly defined study results which set forth Central and Northern California tribal needs or demonstrate the cost effectiveness of serving them from geographically remote service centers;
- A demonstrated lack of need for a BIA middle management function directly accessible to California local BIA agencies and tribes;
- A clear and realistic analysis of the nature and amount of the workload required of BIA middle management functions in California (the Deputy Assistant Secretary - Indian Affairs (Operations) has mentioned that these changes were proposed to meet the changing workloads);
- The existance of marked similarities in culture, tribal government sophistication, educational achievement and economic development between the tribes in the current Sacramento Area Office jurisdiction and those in the Phoenix and Portland Area Office jurisdictions as to prompt a decision to merge the service area populations; or
- The long-range effects of this Department of the Interior decision on the federal/tribal government-to-government relationship.

REALIGNMENT EFFECTS ON CALIFORNIA AND SACRAMENTO AREA TRIBES

Currently the FY 82 budget for the Sacramento Area Office is approximately $2,310,600, which includes the payroll of 58 BIA area staff in Sacramento. There has yet to be revealed any plans for 55 of the area staff. Also, there have not been any reports on projected costs for the closure of the Sacramento Area Office or any cost effective statements on the Administration of BIA activities for California from a Portland or Phoenix office. It has been stated by an unnamed BIA official that there have been some projections that it will cost approximately $1 million to close the Sacramento Area Office.

Also, costs that will not be shown in government projections will be the additional costs incurred by tribes in Phoenix and Portland in the conduct of individual/tribal business.

For example, currently it costs the Bishop Tribal Council approximately $132 for round trip (mileage) to Sacramento. More than one person can ride in the same car. For one person to go to Phoenix from Bishop it will cost $196 (economy airfare if it's available, including mileage to Las Vegas, estimated taxi fare, and parking), or $64 more than a round trip to Sacramento. If economy seating is not available it will cost $320 for coach seating (including mileage, estimated taxi fare, and parking) from Bishop to Phoenix, or $188 more than a trip from Bishop to Sacramento.

Round trip mileage from the Tule River Reservation to Sacramento is approximately $106. Round trip travel expenses from Tule River Reservation to Phoenix are $197.60 if economy seating is available, or $92.40 more than a trip to Sacramento. It will cost Tule River approximately $354 round trip (coach seating) to Phoenix if economy seating is not available, or $248.40 more than a trip to Sacramento. For those tribes closer to Sacramento that come to the Area Office to conduct business, it will cost them approximately $206 more to go to Phoenix and $284 more to go to Portland to conduct area office business. This business includes such meetings as are called to deal with area budget priorities. If the costs and distance are a factor in California participation in establishing area-wide or region-wide budget priorities this will be detrimental to California tribes and their local priorities.

In actuality, the Sacramento Area Office has not performed in a middle management role. An inappropriate distribution of functions and activities in the Sacramento Area Office has resulted in a concentration of area office expertise on the actual performance of day-to-day service delivery operations instead of on the middle management functions of: advanced technical assistance; broad interpretation of Department of the Interior and BIA Indian policies; and technical assistance for the resolution of complex problems not addressed at the local level.

The management practices of that organization demonstrate a lack of well planned and coordinated administrative and programmatic objectives and, most important, a misunderstanding of California tribal needs. The real needs of the California Indian service population lie in the areas of basic planning for tribal government capacity building, in economic development and in individual educational development.

Advanced BIA programmatic and administrative technical assistance, from the middle management level, should have been developed long ago to specifically address the needs of rural small tribes which dominate the constituency of this area office. Each small tribe and rancheria in the area requires intensified planning assistance supported by adequate and realistic program finances and federal representation. These tribes are at a disadvantage in relation to the majority of tribal governments with which the Assistant Secretary - Indian Affairs proposes to organizationally group and serve them. The majority of California tribes experienced termination during the 1950s, cutting them off from the advantages of BIA services for a period of many years. In contrast, the majority of those tribes served by the Phoenix and Portland Area Offices (with the noted exception of Klamath and Siletz) did not experience termination.

During that same period of time when California tribes had no federal recognition or assistance, large Southwest and Northwest tribes were gaining valuable experience in dealing with BIA area offices and local agencies. This has significantly contributed to strengthening and developing their tribal government economic development and program management capabilities to levels of sophistication which enable them to strongly influence the goals, objectives and activities of their BIA area and agency offices and to gair participation in the middle and local management processes. In other words, these tribes are experienced in government-to-government relationships in the fullest sense of the term.

The Sacramento Area Office constituency of over 80 land-based federally recognized tribes has little or no economic resources, BIA technical assistance or Bureau planning funds. In addition, there is a minimum of BIA middle management or local assistance which has been exclusively devoted to the tribal government capacity building process.

The entire area is served by three small local agencies; Southern California Agency, Central California Agency and the Hoopa Agency. The technical assistance rendered by these agencies is on a small scale due to limited staff capability. In addition, the level of technical assistance is from an operations level of management and is not representative of the higher levels of technical assistance necessary for:

- pre-planning efforts;
- the conducting of professionally developed needs assessment studies;
- the resulting development of well-defined final plans, consisting of specific administrative and programmatic goals, objectives, and well-defined implementation plans which are structures to individual tribal requirements.

Currently, neither the Sacramento Area Office or the local BIA agencies can provide this caliber of expertise. The recently conducted BIA Management Improvement Project pointed out the inadequate funding levels of the area office and the lack of expertise to fulfill the middle management functions assigned to the office. Unfortunately, the BIA alternative to this problem is to completely abolish the middle management function instead of making it operational.

It is obvious that California tribes require more BIA federal presence than the limited operations levels of BIA federal presence which are currently afforded to them. It is also obvious that middle management assistance, which has been scarce, is necessary and that to attempt to render it from remote distances is neither practical nor cost effective. The technical assistance currently provided from the agency level is tailored to effect a maintenance type of service. Unfortunately, there is little to maintain. Instead, the need is in the area of generating new ideas and approaches; conducting planning studies; developing, analyzing and advising on alternative plans of action; assisting in solving difficult problems associated with getting started; and in developing implementation plans and methods which will afford tribal capacity building. The type of technical assistance which is necessary is that of a sustained, intensified level which can result in building a base for economic and educational development. Most California tribes are not yet ready to settle down to a maintenance type of service delivery since there is nothing yet, in the way of high quality programmatic and administrative capabilities, to maintain.

It is alarming to note that many trust responsibility functions, which should be provided to the tribes from the area office middle management level, are not of a middle management nature. Instead, they duplicate rather than enhance the operational level efforts of the local agencies. In addition, not all trust functions are fully staffed to the point where effective technical advice may be given.

Up to now, the BIA organization has been structured to provide an alternative organizational course for its area offices, agencies and federally recognized Indian tribes to obtain advanced levels of technical expertise. At the Central

Office headquarters level, office directorates, serving in a Bureau-wide staff capacity to the DOI Deputy Assistant Secretary - Indian Affairs, were comprised of divisions which had certain organizational elements established to render advanced technical expertise. These headquarters level organizational elements, although retaining their headquarters level staff stature, were physically located away from Washington, D.C. and geographically placed in a central location to provide easier accessability to tribes and area offices and to effect travel cost reductions.

Therefore, although the functions were organizationally placed at the headquarters level, their physical placement was not in the Washington, D.C. office. The advantage of adopting this organizational design was that the staff organizational placement was not diluted by the geographical placement. There was no fragmenting of functions or loss of organizational stature. Organizationally, the function was intact. Like functions were grouped in the same organizational element, giving continuity and coordination to the overall structure of each directorate. No span of control or supervisory control problems existed in this structural design, since the outstationed branches reported to one division chief at the headquarters level and were not directly subordinate to the Deputy Assistant Secretary - Indian Affairs (Operations) or to any of his line officials.

As central office staff, this advanced technical expertise function crossed all organizational lines. Thus, their problem solving, advanced technical expertise, and policy interpretation activities could be requested of the Deputy Assistant Secretary - Indian Affairs (Operations) by any line official (Area Director) or tribe. Objectivity in the delivery of services could be maintained. The analytical, evaluation and implementation expertise could remain objective since this supervision came from the central office headquarters directorate and not from the requesting line official of tribe.

Now, this organizational cooperative arrangement is scheduled for change. The February 18, 1982, proposed realignment of these central office satellites relegates them to a subordinate level in the Bureau organizational structure.

Under the proposed realignment, these satellite headquarters level branches lose their present organizational identity. They are organizationally demoted from a central office directorate level to a middle management function. Where once they answered to the headquarters directorate level, they are now envisioned as middle management, regional service center staff, directly answerable to a middle manager - the service center director.

As a result, the middle management span of control increases. These technical assistance staffs lose their objectivity in making any assessments of their own regional functions, in selecting the appropriate methods to utilize in their rendering of advanced levels of expertise, and in deciding upon the best course of action for the actual implementation of their craft. There is no way that they can remain entirely objective in this proposed organizational structure.

Another problem to be solved is the change from their current Bureauwide staff status. As headquarters level staff to a central office directorate, their functional activities could cut across all organizational lines. When in the employ of a middle management director, their status and position in providing any Bureauwide staff assistance becomes organizationally hazy. Even if current central office level directorate authorities were delegated to a middle management level, and these service center directors were delegated Bureauwide directorate staff authorities, this would provoke organizational confusion due to:

- local constituency priorities and influences;
- inequitable distribution over the proposed regions (only five of the seven federally controlled regions have been assigned these advanced levels of expertise); and
- a lack of equity among the ranks of the BIA middle managers.

It appears that if a BIA service center middle manager assumes the additional responsibilities of Bureauwide advanced technical expertise, the position of that service director would be organizationally superior to those service center directors who do not. It would also appear that tribes having this advanced level of expertise in their own regional service center jurisdiction have a distinct advantage in regional prestige and in the proximity and availability of these services over those whose regional service center director has none.

It appears to be the old story of the "haves" and the "have nots". Those tribes and regional service centers who have these assigned advanced levels of former central office expertise can assume a better negotiating position than those who do not and can employ trade-offs with other regional service directors for an exchange of their advanced technical assistance services.

What are the advantages of this arrangement to the central office? The only advantage that it can claim is in a paper reduction of full-time-permanent staff ceilings and funding. Of course, it is a false saving, since the functional operation merely has been buried at another organizational level at the expense of abolishing/consolidating such middle management organizations as the Sacramento Area Office. The disadvantage of this type of management thinking is that, under the guise of placing more expertise at the levels where it is used, the actual service delivery lessens from the current state. This is evident to the Central and Northern California tribes who do not wish to sacrifice their BIA middle management function on the DOI alter for atonement of central office organizational and staffing sins

If the Department of the Interior is proposing to merely relocate these central office functions, they have chosen a poor way to do it. The February 15, 1982, "Bureau of Indian Affairs Realignment Concept" states that the Deputy Assistant Secretary - Indian Affairs (Operations) is attempting to solve a problem of "scattered" technical expertise. He states that "Technical expertise in support of certain functions will be concentrated in one or another of the six centers, rather than scattered over all areas as they are now". He then proceeds to enumerate seven central office trust functions which currently have only two geographically outstationed satellite offices and proposes to not only "scatter" them geographically, but to commit the unpardonable organizational sin of functional fragmentation.

Consider the following proposed fragmentation of the BIA trust function:
- The Division of Energy and Minerals Resources. According to its present functional statement, this staff is located in Denver, Colorado, although there are branches of its division located in Washington, D.C. This division has a functional statement which indicates that it is available to give "direct assistance to area offices in the negotiation of agreements and monitoring compliance with the terms of mineral agreements, as well as liaison with the Bureau of Land Management and the Office of Surface Mining located in Denver". It is of great concern to the Central California tribes that this level of expertise, representative of higher level technical assistance capabilities which currently exceed those of the middle management level, is being reduced to the middle management level in its execution. Currently, this staff has authority to speak from a headquarters organizational level where the policy and budget decisions are made. It has direct input to the Director of Trust Responsibilities who is on the immediate staff of the Deputy Assistant Secretary - Indian Affairs (Operations). The advantage of its current organizational location is obvious. In a central office staff capacity, it may cut across organizational lines, contribute to and implement BIA policy related to the mission of the division, and be relatively free of vested jurisdictional influences in its advisory capacities.

As proposed, this staff function will now be relegated to a secondary position in the headquarters decision making related to the policy making, budgetary and regulatory processes at the central office level. It will be relegated to functioning as a staff arm to a regional service center director - a middle manager in the BIA bureaucracy. The bargaining power of these middle managers in dealing with other DOI and federal agencies is not at a par with those of a headquarters level office director of a national program. Although they may have delegated line authority, they do not have the policy level and budgetary influence of the headquarters level office directorate. Delegating authority of this nature to them, from the central office level, would be neither advise-able or representative of good management practice. This would further fragment the policy making aspect of the trust function which properly belongs at the headquarters level in order to adequately fulfill the trust laws.

- The Division of Water and Land Resources. The problem will become more intensified with future California tribal requests for advanced trust function technical assistance from what is now the Office of Trust Responsibilities, Division of Water and Land Resources. Under the current BIA organization structure, this also is a central office headquarters level division, although some of its staff are outstationed in Denver, Colorado. Under the proposed organizational realignment of BIA functions, this division function is fragmented between two regional service centers - Water Rights at Albuquerque, New Mexico and Irrigation at Phoenix, Arizona, with no mention of the disposition of the remainder of trust functions currently provided by that division. It is unclear in the February 18, 1982, "Bureau of Indian Affairs Realignment Concept" paper (provided to congressional representation by the Assistant Secretary-Indian Affairs), what will happen to these unmentioned functions.

What is clear is that the Assistant Secretary - Indian Affairs has not presented a case for changing the organizational level from which this type of advanced expertise is to flow. He merely mentions on page three that there are some water functions, referred to as "existing functional areas. . . outlined here to serve as a checklist for discussion purposes." He also states that "Regional technical assistance service centers will have basically the same functional structure as now exists in the area offices, allowing for the concentration of special expertise in support of certain functions as suggested above. . ." and that "expertise which would be more effectively placed at the agency level will be identified for possible relocation there". It is obvious from these statements that neither the Assistant Secretary - Indian Affairs nor the Deputy Assistant Secretary - Indian Affairs (Operations) know what will be done with these central office level planning and technical assistance functions.

It is hardly comforting to the California tribes to learn that not only is their limited amount of middle management technical assistance to be removed from direct access within the State, but also to hear that no one in a decision making position is too certain what functions will remain at the agency level or what will be afforded, and on what priority, to the two out-of-State service centers projected to be the new California middle management representatives. Objections to placing these central office levels of technical assistance at the staff level of a regional service center middle manager are the same as those stated above for the Energy and Minerals function.

There is no assurance that an equitable distribution of these staff's time and presence can be maintained at the level which presently exists, let alone show an improvement with their proposed organizational placement.

- Division of Real Estate Services. In reviewing the proposal further, it is obvious that the Division of Real Estate Services fares no better. Two of its functions, realty and range management, are proposed to be transferred to Rapid City. Where the others will be located remains a mystery. Some are given brief mention under the list of "existing functional areas. . .outlined here to serve as a checklist for discussion purposes". The uneasy feeling remains because the paper only lists them as existing now and that they are only listed for "discussion purposes". Nowhere is there a promise that they will be retained, let alone any hint regarding their organizational location.

If the February 18, 1982, talking paper is assuming that the middle management level of this expertise will remain at the service centers, then where will the service centers obtain their technical assistance which currently is more advanced than the capability at the middle management level and is organizationally placed at the headquarters level of the Bureau?

This complete lack of clarity on the part of the "realignment concept" gives cause to wonder regarding the basis upon which the current organizational structure is founded and leads the Central California tribes to ask several questions:

- Is this realignment well-conceptualized?
- Where are the objective, well-documented, professionally conducted studies upon which these decisions were based?
- What studies show the cost effectiveness in terms of staff changes requiring BIA subsidized permanent change in duty station involving movements of household goods, selling of private residences, purchasing of new residences, and issuing of severance pay for those employees who are separated from the Bureau?
- What studies indicate that travel of staff, in the course of performing their duties, will be more cost effective from these concentrated locations instead of from their present locations?
- Since the Assistant Secretary - Indian Affairs believes that he will cut sixteen million dollars from the BIA budget through this realignment, it would appear, to a rational person, that the cuts have to come from something that is existing. The California tribes wonder where that will be, since existing staff and travel funds are too scarce *now*, at the middle management and headquarters levels, to effectively render any type of planning expertise on an intensified basis, even when centrally located in the Denver area. Somehow, it does not appear that this realignment will culminate in the rosey prospect which is predicted by the Department of Interior Assistant Secretary - Indian Affairs and his deputy for operations.

- Why is the BIA fragmenting its central office level trust responsibilities and relocating them both geographically and organizationally?
- Where is the evidence that this will not dilute the BIA trust responsibility?
- If the rationale is that these designated middle management and headquarters level functions have "slipped" from performing at their planned levels, why has the BIA simply not corrected the problem and returned them to their correct organizational courses instead of fragmenting them or changing their organizational stature? There is still a need for their representation at the currently designated areas and levels.
- How will the equity of service, which is admittedly limited at present due to staff and travel fund limitations, be maintained or enhanced with this new realignment, now that important Bureauwide functions which currently operate as staff to the central office directorate will be organizationally demoted to mere staff arms of middle management service directors?
- Will the planned concentration of this type of expertise at a few select locations raise the prestige and rank of an elect group of regional service directors (and therefore the influence of their tribal constituency), thereby giving them a distinct advantage over regional areas which have no such concentration of high level technical expertise?
- How can the California tribes be assured of their equitable share of this advanced level of expertise, or even of the middle management level when the proposal really does not address the equitability question?
- What is the advantage of dividing the California tribes among even larger jurisdictions where competition for limited services will be greater due to the increased number of tribes served by the Phoenix and Portland service centers? The California tribes and agencies are far from receiving the lion's share as it is. Moving California middle management services into out-of-State areas where other tribes have been dealing with the Bureau for years, have the advantage of knowing the organizational terrain, and have already staked

out their programmatic and administrative service delivery territorial boundaries, the Central California tribes will be worse off than now. At least, in their present state, they share a common bond--that of the experience of termination-- and can attempt to present a united front. Perhaps the recent BIA effort at abolishing the hard won federal middle management presence is just another step in new attempts to reinstate the termination policies.

- Assuming that some of these middle management functions are determined to belong at the agency level, what assurances do the California tribes have that this representation would be placed at California agencies?

- Where will the "review and oversight' functions be located and how will the determination be made? Will the BIA embark on yet another of its costly, unsound and poorly conceived, developed and executed studies? The last such study, conducted to address the capabilities of the BIA middle management function, resulted in no improvements in the Sacramento Area Office or in its staffing capabilities and funding levels.

- How will California tribes be able to gain direct access to regional office representation since it is proposed to be placed in out-of-State locations? Due to limited personal and tribal funds, tribal governments and individual Indians in the State of California experience difficulties in getting to the Sacramento Area Office which is, at least, in their own state. How can the Assistant Secretary - Indian Affairs and his deputy for operations logically see any improvements in this state of affairs by implementing their current proposal which requires travel at greater distances and expense?

- Small, rurally located tribes currently served by the Phoenix and Portland Area Offices jurisdictions are not receiving adequate services. How will they, or the California small tribes, manage to retain even their current sparse funding and share of technical assistance when these two offices assume the Sacramento Area Office middle management functions?

- What real estate services will remain at the local agency levels? How can the tribes expect to receive prompt services from the realty location at Rapid City in view of the cuts in travel monies?

- Has this current fragmenting of the trust responsibility been proven in an objective study to be the best course of action, or does the proposal stem from the usual "seat of the pants" decision making practiced by the DOI/BIA in relation to Indian policy? It would appear that this type of decision making is a forerunner in setting the state for a dissolution of the government-to-government relationship concept and advocates a return to the termination policies of the 1950s.

ALTERNATIVE PROPOSAL

The alternative advocated by 26 Central California tribal governments, four Northern California tribal governments, and other Northern California tribal officials is designed to:

- provide more efficient services through the establishment of three (3) field offices;
- save money for both the federal government and California tribes;
- reduce the Area Office by decreasing area budget and personnel;
- strengthen the agency offices by delegating authority for approving purchase orders, grants and contracts for up to $150,000;
- ensure increased assistance to tribes in development of natural resources by providing additional assistance at the agency level--or by tribal contracting;
- increase actual services by increasing the "banded" budgets;
- make the BIA more able to fulfill its "trust responsibility of protecting, managing and developing its trust resources," by strengthening the agency offices.

APPROXIMATE SAVINGS

Approximate savings of $1,500,000.00 yearly in salary savings as a result of alternative proposal and savings in office space of approximately $92,000.00 yearly (combining Sacramento Services Office and Central California Agency) and other savings is proposed to be expended as follows:

Economic Development	$ 270,000
Self-Determination	270,000
Housing	180,000
Road Maintenance	180,000
Education (All)	270,000
Demographic	60,000
Resource Planning and Development	70,000
SUBTOTAL	$1,320,000
Three Field Offices (Northern California, Mendo/Lake and Owens Valley) @ $60,000 each	180,000
TOTAL	$1,500,000

The personnel listing on pages 21 through 24 shows the staffing of the Sacramento Area Office as it currently is. The listing also includes the almost 40 positions in the Sacramento Area Offices that the tribes supporting this alternative are recommending for complete elimination, retention, or transfer to the Agency. Those personnel recommended for retention will be the staff of the California Services Center and those transferred to the Agency are necessary because of the increased responsibilities and authorities also transferred to the Agency level.

CURRENT POSITIONS		CHANGE IN POSITIONS	POSITIONS PROPOSED		PROPOSED SAVINGS
AREA OFFICE		**CALIFORNIA SERVICE OFFICE**	**SACRAMENTO OFFICE**	**AGENCY**	
Area Director	$ 50,113	reduce to GS 14/8	$47,000	-0-	$ 3,113
Secretary (Steno)	18,046	retained	18,046	-0-	-0-
Indian Self-Det.	33,897	eliminated	-0-	-0-	33,897
EEO Officer	30,129	retained	30,129	-0-	-0-
Secretary (5/1-5)	12,854	eliminated	-0-	-0-	12,854
Subtotal	$145,03[illegible]	(-$49,864)	$95,175	-0-	$49,864
TRIBAL OPERATIONS		**OFFICE OF SPECIAL PROJECTS/APPEALS**			
Assistant to A.D.	$ 40,306	Appeals Officer GS 12/6	$32,955	-0-	$ 7,351
Secretary (Typing)	12,854	retained	12,854	-0-	-0-
Sup. Claims Clerk	17,515	Special Projects Officer - GS 11	23,566	-0-	(-6,051)
Claims Clerk	14,138	eliminated	-0-	-0-	14,138
Claims Clerk	14,138	eliminated	-0-	-0-	14,138
Claims Clerk	13,710	eliminated	-0-	-0-	13,710
Claims Clerk	13,282	eliminated	-0-	-0-	13,282
Claims Clerk - V	12,884	eliminated	-0-	-0-	12,884
Claims Clerk - V	12,884	eliminated	-0-	-0-	12,884
Claims Clerk - V	12,884	eliminated	-0-	-0-	12,884
Claims Clerk - V	12,884	eliminated	-0-	-0-	12,884
Prog. Analysis Off.	33,897	eliminated	-0-	-0-	33,897
Nat. Resources Spec.	-0-	Moved from Land Operations	27,496	-0-	(-27,496)
Subtotal	$211[illegible]6	(-$114,505)	$96,871	-0-	$114,505

CURRENT POSITIONS		CHANGE IN POSITIONS	POSITIONS PROPOSED		PROPOSED SAVINGS
			SACRAMENTO OFFICE	AGENCY	
OFFICE OF ADMINISTRATION					
Area Admin. Officer	$ 36,946	reduce to GS 12/6	$32,955	-0-	$ 3,991
Secretary (Typing)	14,138	retained	14,138	-0-	-0-
Area Personnel Spec.	24,352	eliminated	-0-	-0-	24,352
Personnel Clerk-V	12,854	to Agency	-0-	$12,854	-0-
Personnel Clerk-V	-0-	to Agency (new)	-0-	12,854	(-12,854)
Sup. Contract Spec.	32,955	eliminated	-0-	-0-	32,955
Contract Spec.	25,924	to Agency	-0-	25,924	-0-
Contract Spec.	25,924	to Agency	-0-	25,924	-0-
Contract Spec.-V	23,566	to Agency	-0-	23,566	-0-
Gen. Supply Spec.	23,371	retained (add Contracting responsibility)	23,371	-0-	-0-
Clerk Typist	11,490	eliminated	-0-	-0-	11,490
Accounting Tech.	14,566	eliminated	-0-	-0-	14,566
Operating Acct.	26,710	eliminated	-0-	-0-	26,710
Accounting Tech.	15,850	eliminated	-0-	-0-	15,850
Cash Clerk-V	11,490	eliminated	-0-	-0-	11,490
Contracting Clerk-V	11,490	eliminated	-0-	-0-	11,490
Budget Analyst	28,282	retained	28,282	-0-	-0-
Subtotal	$339,908	(-$140,040)	$98,746	$101,122	$140,040
COMMUNITY DEVELOPMENT					
Community Services Officer	$ 46,304	Assist. to CSO Director	$46,304	-0-	-0-
Secretary (Typing)	14,138	retained	14,138	-0-	-0-
Area Voc. Develop.	40,543	eliminated	-0-	-0-	40,543
Secretary (Typing)	14,566	eliminated	-0-	-0-	14,566
Area Housing Officer-V	33,586	eliminated	-0-	-0-	33,586
Housing Assistant-V	19,477	eliminated	-0-	-0-	19,477
Secretary (Typing)	14,566	eliminated	-0-	-0-	14,566
ICWA Specialist	-0-	new	23,566	-0-	(-23,566)
Economic Dev. Spec.	-0-	transfer from Resources	30,000	-0-	(-30,000)
Subtotal	$183,180	(-$69,172)	$114,008	-0-	$69,172

CURRENT POSITIONS		CHANGE IN POSITIONS	POSITIONS PROPOSED		PROPOSED SAVINGS
OFFICE OF RESOURCES			SACRAMENTO OFFICE	AGENCY	
Assistant to A.D.	$ 45,336	eliminated	-0-	-0-	$ 45,336
Secretary (Steno)-V	14,328	eliminated	-0-	-0-	14,328
Realty Officer	36,186	eliminated	-0-	-0-	36,186
Realty Spec.	19,477	to Agency (CCA)	-0-	$19,477	-0-
Realty Spec.	25,138	to Agency (NCA)	-0-	25,138	-0-
Forester	33,586	eliminated	-0-	-0-	33,586
Forester	25,924	to Agency (CCA)	-0-	25,924	-0-
Clerk Typist-V	12,639	eliminated	-0-	-0-	12,639
Loan Spec.	25,138	transferred to Comm. Dev.	-0-	-0-	25,138
Subtotal	$237,752	(-167,213)	-0-	$70,539	$167,213
BRANCH OF ROADS					
Sup. Highway Eng.	$ 42,546	eliminated	-0-	-0-	$ 42,546
Highway Eng.-V	28,245	eliminated	-0-	-0-	28,245
Secretary (Typing)-V	12,854	eliminated	-0-	-0-	12,854
Subtotal	$ 83,645	(-$83,645)	-0-	-0-	$ 83,645
BRANCH OF REAL ESTATE APPRAISAL					
Sup. Appraiser	$ 50,273	eliminated	-0-	-0-	$ 50,273
Appraiser	33,897	to Agency (CCA)	-0-	$33,897	-0-
Appraiser "B"	25,924	to Agency (NCA)	-0-	25,924	-0-
Appraiser Clerk-V	14,328	eliminated	-0-	-0-	14,328
Subtotal	$124,422	(-$64,601)	-0-	$59,821	$ 64,601

CURRENT POSITIONS		CHANGE IN POSITIONS	POSITIONS PROPOSED		PROPOSED SAVINGS
			SACRAMENTO OFFICE	AGENCY	
BRANCH OF LAND OPERATIONS					
Area Land Oper. Off.	$ 33,585	eliminated	-0-	-0-	$ 33,586
Natural Resources Spec.	27,496	transferred to Special Projects/Appeals	-0-	-0-	27,496
Secretary (Typing)	14,566	eliminated	-0-	-0-	14,566
Subtotal	$ 75,648	(-$75,648)	-0-	-0-	$ 75,648
TOTAL BIA (-Education)	$1,400,970	(-$764,688)	$404,800	$231,482	$764,686
Employee Benefits (10%)	140,097	-76,468.80	40,480	23,1[illegible]8.20	76,468.80
GRAND TOTAL	$1,541,067	(-$841,155.80)	$445,280	$254,630.20	$841,156.80

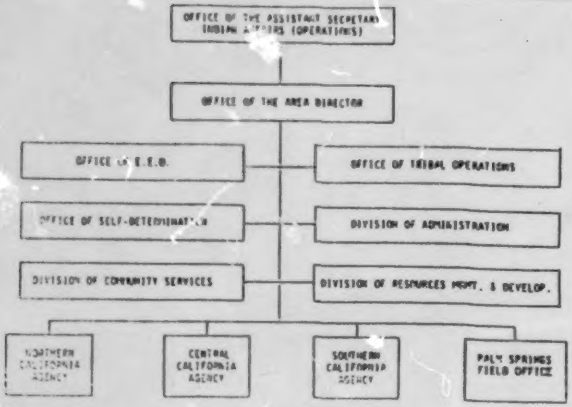
***OFFICE OF INDIAN EDUCATION**

Program Administrator	$ 36,946
Education Spec.	23,566
Secretary (Typing)	14,138
Clerk Typist	
Clerk Typist	
Education Spec.	
Secretary (Typing)	12,639
Education Spec.	25,924

*The Office of Indian Education should be contracted back to California under the authority of P.L. 93-638 (Contracting).

CHART #1

Current Structure


OFFICE OF THE ASSISTANT SECRETARY INDIAN AFFAIRS (OPERATIONS)
OFFICE OF THE AREA DIRECTOR
OFFICE OF E.E.O.
OFFICE OF TRIBAL OPERATIONS
OFFICE OF SELF-DETERMINATION
DIVISION OF ADMINISTRATION
DIVISION OF COMMUNITY SERVICES
DIVISION OF RESOURCES MGMT. & DEVELOP.
NORTHERN CALIFORNIA AGENCY
CENTRAL CALIFORNIA AGENCY
SOUTHERN CALIFORNIA AGENCY
PALM SPRINGS FIELD OFFICE

Proposed Alternative

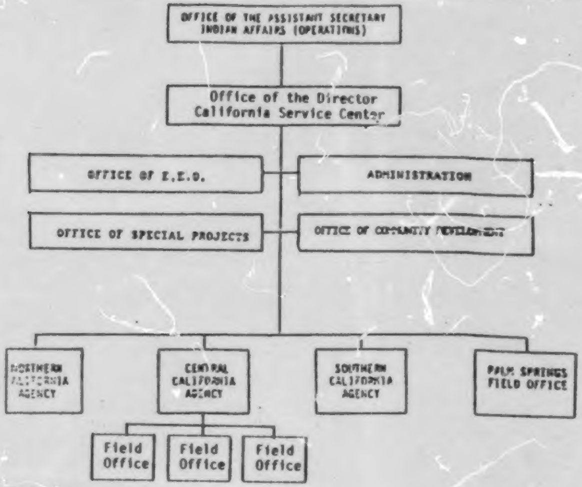
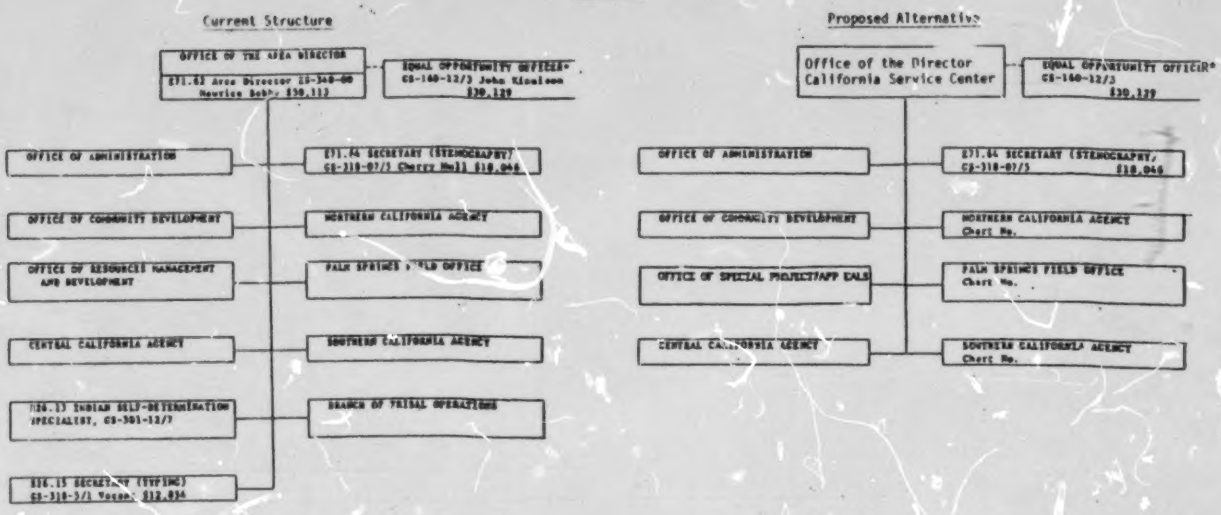

OFFICE OF THE ASSISTANT SECRETARY INDIAN AFFAIRS (OPERATIONS)
Office of the Director California Service Center
OFFICE OF E.E.O.
ADMINISTRATION
OFFICE OF SPECIAL PROJECTS
OFFICE OF COMMUNITY DEVELOPMENT
NORTHERN CALIFORNIA AGENCY
CENTRAL CALIFORNIA AGENCY
SOUTHERN CALIFORNIA AGENCY
PALM SPRINGS FIELD OFFICE
Field Office
Field Office
Field Office

CHART #2


Current Structure
OFFICE OF THE AREA DIRECTOR
271.62 Area Director GS-340-00
Maurice Babby $30,113
EQUAL OPPORTUNITY OFFICER*
GS-160-12/3 John Kinslow
$30,129
OFFICE OF ADMINISTRATION
271.64 SECRETARY (STENOGRAPHY)
GS-318-07/3 Cherry Hall $18,046
OFFICE OF COMMUNITY DEVELOPMENT
NORTHERN CALIFORNIA AGENCY
OFFICE OF RESOURCES MANAGEMENT AND DEVELOPMENT
PALM SPRINGS FIELD OFFICE
CENTRAL CALIFORNIA AGENCY
SOUTHERN CALIFORNIA AGENCY
226.13 INDIAN SELF-DETERMINATION SPECIALIST, GS-301-12/7
BRANCH OF TRIBAL OPERATIONS
316.15 SECRETARY (TYPING)
GS-318-5/1 Vacant $12,036
Proposed Alternative
Office of the Director
California Service Center
EQUAL OPPORTUNITY OFFICER*
GS-160-12/3
$30,129
OFFICE OF ADMINISTRATION
271.64 SECRETARY (STENOGRAPHY,
GS-318-07/3 $18,046
OFFICE OF COMMUNITY DEVELOPMENT
NORTHERN CALIFORNIA AGENCY
Chart No.
OFFICE OF SPECIAL PROJECT/APP EALS
PALM SPRINGS FIELD OFFICE
Chart No.
CENTRAL CALIFORNIA AGENCY
SOUTHERN CALIFORNIA AGENCY
Chart No.

*This position is counted against Central Office ceiling. However, Sacramento pays salary of EEO.

OFFICE OF THE AREA DIRECTOR

Responsible to the Acting Deputy Assistant Secretary-Indian Affairs (Operations), Bureau of Indian Affairs, for the discharge of the Federal Government's responsibilities to the Indian People in accordance with established laws and sound management of the extensive resources and funds held in trust by the United States Government for Indian Tribes and individual Indians within the area. --

*This position is counted against Central Office ceiling. However, Sacramento pays salary of EEO.

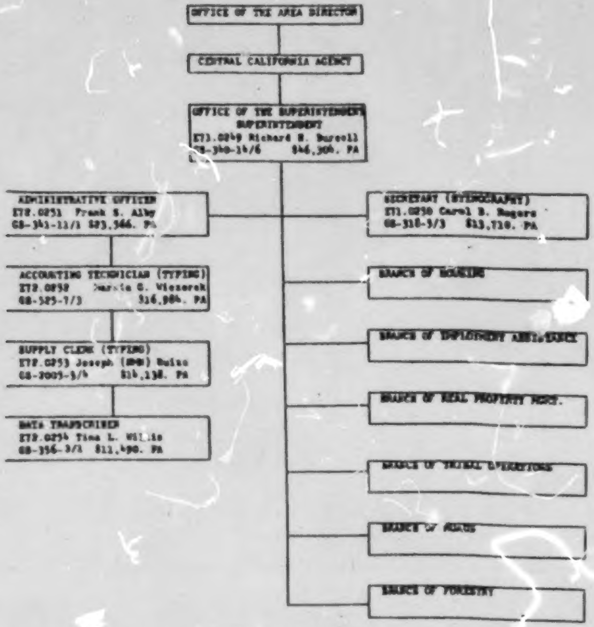
OFFICE OF THE DIRECTOR

Responsible to the Acting Deputy Assistant Secretary-Indian Affairs (Operations), Bureau of Indian Affairs, for the discharge of the Federal Government's responsibilities to the Indian People in accordance with established laws and sound management of the extensive resources and funds held in trust by the United States Government for Indian Tribes and individual Indians within the area. --

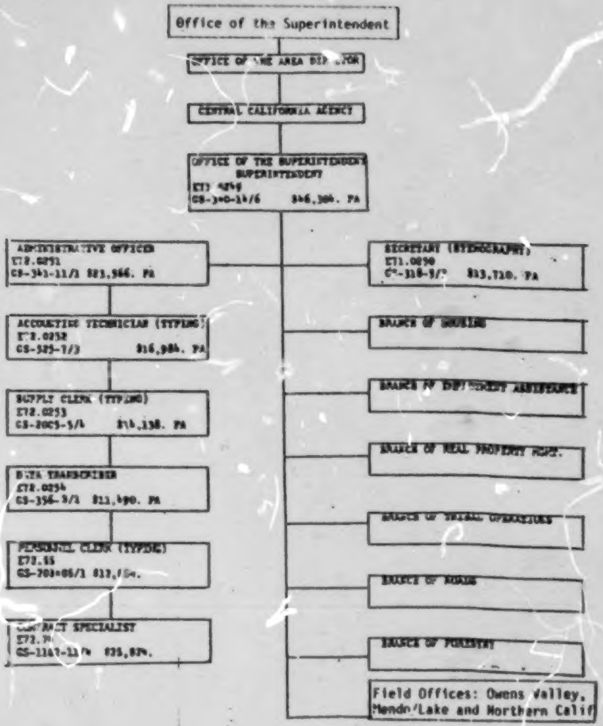
Current Structure

OFFICE OF THE SUPERINTENDENT
October 22, 1981

CHART #3


OFFICE OF THE AREA DIRECTOR
CENTRAL CALIFORNIA AGENCY
OFFICE OF THE SUPERINTENDENT
SUPERINTENDENT
E71.0249 Richard H. Burcell
GS-340-14/6 $46,304. PA
ADMINISTRATIVE OFFICER
E72.0251 Frank S. Alby
GS-341-11/1 $23,566. PA
ACCOUNTING TECHNICIAN (TYPING)
E72.0252 Marcia G. Wiezorek
GS-525-7/3 $16,984. PA
SUPPLY CLERK (TYPING)
E72.0253 Joseph (Bob) Ruiz
GS-2005-5/4 $14,138. PA
DATA TRANSCRIBER
E72.0254 Tina L. Willis
GS-356-3/1 $11,490. PA
SECRETARY (STENOGRAPHY)
E71.0250 Carol B. Rogers
GS-318-5/3 $13,710. PA
BRANCH OF HOUSING
BRANCH OF EMPLOYMENT ASSISTANCE
BRANCH OF REAL PROPERTY MGMT.
BRANCH OF TRIBAL OPERATIONS
BRANCH OF ROADS
BRANCH OF FORESTRY

Proposed Alternative


Office of the Superintendent
OFFICE OF THE AREA DIRECTOR
CENTRAL CALIFORNIA AGENCY
OFFICE OF THE SUPERINTENDENT
SUPERINTENDENT
E71.0249
GS-340-14/6 $46,304. PA
ADMINISTRATIVE OFFICER
E72.0251
GS-341-11/1 $23,566. PA
ACCOUNTING TECHNICIAN (TYPING)
E72.0252
GS-525-7/3 $16,984. PA
SUPPLY CLERK (TYPING)
E72.0253
GS-2005-5/4 $14,138. PA
DATA TRANSCRIBER
E72.0254
GS-356-3/1 $11,490. PA
PERSONNEL CLERK (TYPING)
E72.55
GS-203-05/1 $12,[illegible].
CONTRACT SPECIALIST
E72.[illegible]
GS-1102-11/4 $25,8[illegible].
SECRETARY (STENOGRAPHY)
E71.0250
GS-318-5/3 $13,710. PA
BRANCH OF HOUSING
BRANCH OF EMPLOYMENT ASSISTANCE
BRANCH OF REAL PROPERTY MGMT.
BRANCH OF TRIBAL OPERATIONS
BRANCH OF ROADS
BRANCH OF FORESTRY
Field Offices: Owens Valley, Mendo/Lake and Northern Calif

ALTERNATIVE MORE EFFICIENT AND LESS COSTLY

The alternative proposal presented herein is $14,337,400 and would maintain a California Services Center in Sacramento for those Central and Northern California tribes that do not want to relate to the Portland and Phoenix Regional Offices. Considering the cost of inflation, this proposal is less than the FY 182 budget.

Because the Sacramento Area is already inequitably funded for services to California Indians, it is believed that it is necessary to maintain the California allocation at the current FY 82 budget with increases in program areas as recommended in pages 20 through 24 of this proposal. In fact, there is much discussion which would substantiate an increase in BIA funding for California.

Because of similar circumstances in federal government funding assistance for California Indians for Indian Health Services a suit was filed by the Rincon Band of Mission Indians challenging the discriminatory and illegal distribution of federal funds for Indian Health Services. The United States District Court of Northern California, in its Febraury 14, 1979, opinion found that the Indian Health Service's use of resource allocation criteria did not justify disproportionately low allocation of program funds under the Snyder Act to Indians residing in California.

Any further reductions in BIA services to California Indians is a serious breach of trust and administrative termination and reduction of BIA assistance.

Because of the addition of three (3) field offices, services will be closer to the tribes; thus reducing the travel costs of area, agency and tribal governments. Last year the approximate cost for Central Agency to travel for business to the Owens Valley was $13,049, although most of this was one-time-only expense. The amount saved for agency travel will help offset the "on-going" costs of the field office.

It is extremely important under the new federalism that tribal governments be cohesive units within their respective states to deal with such issues as block grants and proposed state legislation that affects Indian rights. Relating to regional offices in Portland and Phoenix will not increase or strengthen tribal/state relationships here in California.

AREA OFFICE POPULATION FIGURES FY 1982
($000)

Table 1

AREAS	INDIANS ON & ADJACENT TO RESERVATIONS	PERCENT OF TOTAL
Aberdeen	64,774	8.8
Albuquerque	45,425	6.2
Anadarko[2]	36,719	5.0
Billings	32,805	4.5
Eastern	25,961	3.5
Juneau[3]	64,047	8.7
Minneapolis	39,863	5.4
Muskogee[2]	121,998	16.6
Navajo	160,722	21.9
Phoenix	71,933	9.8
Portland	52,787	7.2
SACRAMENTO	17,861	2.4
TOTALS	734,895	100.0

1 Data furnished by Roger Boyd, Chief Statistician, BIA Central Office, Washington, D.C.

2 In Oklahoma, covers former reservation areas.

3 In Alaska, includes all Natives in the State.

prepared by the Office of American Indian Coordinator
1400 Tenth Street, Sacramento, California, 95814

(916) 322-4811 *April 1982*

TOTAL BIA & SACRAMENTO AREA ALLOCATIONS FY 1970 - 1983[1]
($000)

Table 2

This table is a comparison of the funding level of the Sacramento Area Office to the total BIA funding from 1970 through 1983. Although the actual dollar amount to the Sacramento Area Office has increased, the percentage the Sacramento Area Office received has steadily decreased from the high of 1.93% in 1973 to 0.56% in 1983.

Fiscal Year	Total BIA	Sacramento Area	Percent of Sacramento Area To Total BIA
1970	302,745	2,472	0.82
1971	364,508	3,938	1.08
1972	439,685	5,810	1.32
1973	514,866	9,924	1.93
1974	583,838	9,413	1.61
1975	691,317	10,949	1.58
1976	965,469	12,323.9	1.28
TQ1976[2]	424,234	5,132.1	1.21
1977	1,129,997	14,381.7	1.27
1978	1,216,331	14,887.1	1.22
1979	1,371,594	15,559.0	1.13
1980	1,898,451	16,8[illegible].2	0.89
1981	1,558,410	18,290.3	1.17
1982	1,474,278	14,337.4	0.97
1983[3]	1,561,354	8,809.6	0.56

---

1 Data obtained from Federal Budget Appendices and Sacramento Area Office of Budget and Finance.

2 Transitional Quarter (TQ) 1976: a period of time when the fiscal year beginning was changed from July 1 to October 1.

3 Fiscal Year 1983 figures are projections.

prepared by the Office of American Indian Coordinator (916) 322-4811
1400 Tenth Street, Sacramento, California, 95814 April 1982

SACRAMENTO AREA CALIFORNIA INDIAN POPULATION DATA[1]

Table 3

This table shows the 1978 service population, by age groups, of the Sacramento Area as recognized by the Area Office in Sacramento. This takes into consideration the recent federal recognition of several tribal groups, etc., and according to the Area Director, the figure more realistically is approximately 45,000.

	On Trust Land	Adjacent
UNDER 16 YEARS	2,028	11,172
16 - 34 YEARS	2,084	11,417
35 - 64 YEARS	1,407	7,200
65 YEARS & OVER	361	1,780
SUB TOTAL	5,880	31,569[2]
AREA TOTAL	37,449	

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[1] BIA has obtained the population figures via Labor Force Statistical Data, 1973 California Judgment, and other social services information.

[2] Includes those who were certified to be Indians of California decent for purposes of the 1973 California Judgement Rolls.

Prepared by the Office of American Indian Coordinator,
Governor's Office of Planning and Research,
State of California -- November 1979

Exhibit A

IN REPLY REFER TO:
Office of Self-
Determination Services

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Sacramento Area Office
2800 Cottage Way
Sacramento, California 95825

DEC 24 1981

Ms. Rachel A. Bluestone
American Indian Coordinator
State of California
1400 Tenth Street
Sacramento, California 95814

Dear Ms. Bluestone:

Based on our joint discussion recently regarding the use of population figures for the purpose of block grants, tribal reservation membership appears to be the more suitable criteria for use in determining eligibility for persons to share in block grants. Tribal membership is the population over which the tribe has jurisdiction and to whom governmental services are provided.

As a result, my office compiled the enclosed data on tribal membership population for use by Region X, Department of Health and Human Services, and by the Office of Economic Opportunity for the implementation of the Low-Income Energy Assistance Program (LIEAP).

If questions arise regarding this data, please contact my office.

Sincerely,

Area Director

Enclosure

cc: Alice Huffman, Director, Office of Economic Opportunity,
1600 Ninth Street, Sacramento, CA 95814
Tribal Operations, SAO
Reservation Programs Officer, SAO
Budget, Washington, D.C.

TRIBAL MEMBERSHIP POPULATION

FOR

SACRAMENTO AREA OFFICE
BUREAU OF INDIAN AFFAIRS

November 1981

	Tribe	Population	Number of Households (average of 4)	85% of Households at 100% of Poverty Level
1.	Alturas	21	5	4
2.	Barona	350	87	74 (80)
3.	Benton Paiute	101	25	21
4.	Berry Creek	200	50	43
5.	Big Bend	24	6	5
6.	Big Lagoon	11	3	3
7.	Big Pine	441	110	94
8.	Bishop	1,100	275	234
9.	Bridgeport	70	18	15
10.	Cabazon	38	9	8
11.	Campo	78	19	16
12.	Cahuilla	168	42	36
13.	Cedarville	15	4	3
14.	Cold Springs	56	14	12
15.	Colusa	26	7	6
16.	Cortina	87	21	18
17.	Coyote Valley	275	69	59
18.	Cuyapaipe	6	2	2
19.	Dry Creek	127	32	27
20.	Ft. Bidwell	199	50	43

21.	Ft. Independence	65	16	14
22.	Grindstone	87	22	19
23.	Yurok	3,800	950	807
24.	Hoopa (square)	1,566	391	332 (384)
25.	Inja Cosmit	13	3	3
26.	Jackson	30	8	7
27.	Jamul	62	15	13
28.	Karok	2,000 (2,320)	500 (580)	425 (493)
29.	La Jolla	420	105	89
30.	La Posta	15	4	3
31.	Laytonville	168	42	36
32.	Lone Pine	182	46	39
33.	Lookout	13	3	3
34.	Los Coyotes	131	33	28
35.	Hopland	125	31	26
36.	Manchester- Pt. Arena	232	58	49
37.	Manzanita	50	13	10 (18)
38.	Mesa Grande	286	71	61
39.	Middletown	35	9	8
40.	Montgomery Creek	19	5	4
41.	Morongo	718	179	152
42.	Pala	475	119	101
43.	Pauma	91	23	20
44.	Pechanga	215	53	45
45.	Pit River (X-L)	31	8	7
46.	Resighini	17 (148)	4 (37)	4 (33)
47.	Rincon	500	125	106

48.	Roaring Creek	36	9	8
49.	Sulphur Bank	147	37	31 (70)
50.	Susanville	175	43	37
51.	Sycuan	55	14	12 (18)
52.	Table Bluff	83	22	19
53.	Table Mountain	60	16	14
54.	Torres-Martinez	215	54	46
55.	Trinidad	125	31	26
56.	Tule River	549	137	116
57.	Tuolumne	102	25	21
58.	Upper Lake	109	27	23
59.	Viejas	183	46	39 (54)
60.	Pit River	3,000	750	638
61.	Robinson	83 (197)	21 (49)	18 (42)
62.	Round Valley	2,300	575	489
63.	Rumsey	49	12	10
64.	San Manuel	40	10	8
65.	San Pasqual	278	69	59
66.	Santa Rosa (Kings)	209	52	44
67.	Santa Rosa (Mission)	46	12	10
68.	Santa Ynez	189	47	40
69.	Santa Ysabel	217	54	46
70.	Sherwood Valley	231	58	49
71.	Shingle Springs	75	19	16
72.	Soboba	390	97	83
73.	Stewarts Point	120	30	25

74.	Enterprise	65	16	14
75.	Twenty-Nine Palms	13	3	3
76.	Capitan Grande	22	6	5
77.	Sheep Ranch	1	1	1
78.	Quecnan*	1,500	375	319 (246)
79.	Ft. Mohave*	260	75	65 (74)
80.	Colorado River*	28	7	6
81.	Chemehuevi*	400	INA	5
82.	Agua Caliente	218	INA	2
83.	Woodsford Community	104	26	22
	TOTAL	26,421 (26,588)	6,433 (6,574)	5,503 (5,686)

Sacramento Area 24,129

Phoenix Area 2,292

*Although located in California is under the jurisdiction of the Phoenix Area Office, Bureau of Indian Affairs, Phoenix, AZ. For purpose of this report only, the figure is included in California tribal membership population figures.

AREA OFFICE POPULATION FIGURES FY 1982
($000)

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[2] In Oklahoma, covers former reservation areas.

[3] In Alaska, includes all Natives in the State.

prepared by the Office of American Indian Coordinator
1400 Tenth Street, Sacramento, California. 95814

(916) 322-4811 *April 1982*

TOTAL BIA & SACRAMENTO AREA ALLOCATIONS FY 1970 - 1983[1]
($000)

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[2] Transitional Quarter (TQ) 1976: a period of time when the fiscal year beginning was changed from July 1 to October 1.

[3] Fiscal Year 1983 figures are projections.

prepared by the Office of American Indian Coordinator (916) 322-4811

6

Senator COHEN. Mr. Jourdain.

STATEMENT OF ROGER JOURDAIN, CHAIRMAN, RED LAKE BAND OF CHIPPEWA INDIANS, REPRESENTING THE GREAT LAKES INTERTRIBAL COUNCIL

Mr. JOURDAIN. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, my name is Roger Jourdain, chairman of the Red Lake Band of Chippewa Indians, northern Minnesota.

I am also a member of the Minnesota Indian Affairs Inter-Tribal Board, member of the Great Lakes General Assembly, and board member of the National Tribal Chairman's Association. I am a member of the State commission, which is set up by State statute. It is composed of 11 tribal chairmen.

I am pleased to submit this short testimony to you and thank you for this opportunity to participate in the oversight hearing of the Bureau of Indian Affairs' proposed realinement plan.

The headlines in the October 13, 1981, Department of the Interior news release stated that: "Smith Pledges Indian Involvement Through Consultation Process." Those words looked good on paper but they have proved meaningless to tribes. There has been a total disregard of tribal views on major decisions affecting Indian tribes.

The only consultation that has been conducted by the BIA has been after the fact. We were told about the realinement plan and how it was going to work at the beginning of this year at an NTCA board meeting.

Their plan of consultation was not acceptable, much less the plan for realinement. We were told that first they would consult with the Federal Employees Union, then the BIA would inform Congress and, last, they would consult with the tribes.

What bothered me the most was the fact that the BIA officials told the board that they did not need approval from Congress to go ahead with this plan because it was not a reorganization plan.

I would like to call your attention to my letter to the Honorable Sidney Yates, chairman of the Subcommittee on House Appropriations, dated May 7, 1982.

I do not intend to read the letters but I would like to have them written into the record along with the Red Lake Resolution No. 34–82, Red Lake Resolution No. 160–81, and Minnesota Indian Affairs Intertribal Board Resolution No. 6/12/81.

Senator COHEN. Without objection, so ordered.

Mr. JOURDAIN. I would like a few minutes to review them and make some comments on them.

I will keep this as short as I can, Mr. Chairman.

Because we are sick and tired of reviewing this constantly and trying to rebut, this is the first time we have had an opportunity to testify and rebut all the information we received here.

I want to make reference, No. 1, to the Aberdeen site regional BIA office's newspaper announcement that the Aberdeen congressional people, and the South Dakota people prevailed upon the President and Secretary Watt and the Governor to keep the Aberdeen area office intact.

It appears that they have succeeded. Now they are bragging about how they are going to increase the economy in Aberdeen from the personnel of 154 to 235 and increasing their annual payroll to $2.5 million.

It is going to cost more than $2.5 million to travel to Aberdeen, with all due respect to my friends across the river, as they refer to us in Minnesota as "those Indians across the river." This is going to reopen the old Chippewa wars again if we are forced to do all of our BIA business in Aberdeen. It appears that the partisan politics that are played here in the reestablishment of the Aberdeen office are evident. I sympathize with my friends across the river. They need their services, that is, if you can call it that.

But in the Minneapolis area office, we have had one battle after another ever since they came into existence.

When we heard at the February 19, 1982, announcement at 4 o'clock in the afternoon, many of the NTCA delegates were present and were asking about this and they were told they were going to do it and the employees would be consolidated and so on, we recommended at that time: Why not establish a superagency at the reservation level and reprogram the area office budgets back to the reservation level? This is our recommendation. I hope someone will listen and take a look at this justification for it.

Going back to the first establishment of the area office, called the coordinator's office in 1933. My father-in-law cautioned all of us—and I attended the council meeting—that this will be another problem that we are going to be faced with. It is bad enough when we had the agency going directly to the central office here in Washington. When we came to Washington, if we did not get what we wanted or there was a misunderstanding, at least we went to our Congressmen and Senators. Now we have nobody to go to in Minneapolis in the area office.

We recommended, and in that resolution which backs up the council's resolution; "abolish all area offices and reprogram the area office budgets back to the reservation. That is where it belongs."

Now Congress is getting headlines from time to time. They are talking about cutting back on the entitlements programs. Sure, it will hurt all of us and our people. They are without jobs to begin with. We have no other place to go but to the welfare office.

The entitlement programs that we are talking about—I am going to make reference to the Bureau of Indian Affairs' entitlement program.

Their entitlement program is the employment benefits and their retirement benefits and their sick leave benefits that they use before officially retiring. This has gone on several times at the Minneapolis area office.

As you probably know, there are not too many chairmen here today. I will tell you why. From my own personal experience, you speak up—and I will be a marked man the moment I walk in and before I get back to my home.

They will say that Mr. Jourdain testified against us and they will put an economic sanction against us again. This is how they are going to try to control the Indian councils. They are not accountable to the Indian councils or the Indian tribes. I would like to know here and now: Who is the Bureau of Indian Affairs accountable to?

They are only accountable to themselves with all their resource people. We advocated time and time again that we have Indian people at the head of these offices and be the advocates. Instead of that, they have been working against their own Indian people. Where is their loyalty?

We have requested time after time for the cooperation and flexibility part of the Minneapolis area office. Right now, our superintendent who runs the office is completely gagged and censored. He cannot say hello to you until he has asked the solicitor at the Minneapolis area office as to whether he can talk to this chairman or that chairman. This is what is going on. We would like to have full control of our own destiny and our own future at the reservation level. Instead of running around the circle chasing rainbows all the time, this is what we would like.

The Bureau of Indian Affairs can make a mistake Monday through Fri[illegible] then come back the next Monday morning and they are not ac[illegible] to anybody. It eventually becomes law.

[illegible] disregard the acts of Congress, for instance, the Federal Distribution Act on programing of the claims money. The claims award at Red Lake are stonewalled and bottled up. Now we have to come to Congress for special legislation to have our claims money released. It was supposed to be released within 180 days. Who are they, anyway, these Bureau people? Who is controlling them? We certainly are not. If we had control of them, we would have them do something of a positive nature and provide jobs at the reservation level. There are no jobs. All they are concerned about is protecting their own turf at the area offices. That is all they are concerned about.

Insofar as the education is concerned we should have had the full implementation of the Public Law 95-561, and put the local control where it belongs. It is still being controlled by the Bureau of Indian Affairs at the area office. When you ask them where the problem is and where the hang-up is, the area office say they will call Washington. You call Washington and they say the authority is delegated to the area office. We run in circles all the time.

We testified at the April 13th and April 15th meetings in Minneapolis and Aberdeen on the closure of the schools. I listened to those school kids testify. There was only one person committee there. There was only one of the staff listening. Where was Ken Smith, the advocate? He should have been at the hearing listening to these kids testify as to why the schools should be kept open. For the first time in my life I publicly admit that I had tears coming down my cheeks. I was crying for those kids. We were getting along real good, they said, but the Bureau of Indian Affairs somewhere is taking everything away from us and just when we are beginning to understand and develop in our education. This young fellow said that. These were arbitrary decisions. It is like stabbing a blind man in the back. That was a 17-year-old youngster who said that. We fully agree with him. We are being stabbed right in broad daylight. There is nothing we can do about it.

What about the funds that they are talking about saving? Where are they getting the funds for the reorganization plan? How much is it going to cost? How much is it going to cost to save $16 million. I bet it will amount to a lot more than that to save it.

The moving costs alone will be prohibitive. It will cost $12,000 or $15,000 to move them across the country. By the time they get over here, if the Councils do not agree, they will say "give them a transfer." So, they will push the council into a corner where the council will finally adopt the resolution and get rid of so-and-so and transfer him out. So he finds another place and he gets transferred. He goes out to Rosebud and he gets a grade increase. It will cost us too much money for these people to be transferred all around.

There is no continuity of services and no continuity of administration or of law and order which have budgets that are depleted. We are operating within a meager allowance that we have. We are trying to protect ourselves.

We have no cooperation whatsoever from the BIA. They look down on us because they are a GS-15 or a GS-19½. "I do not want to talk to this little chairman that is a GS-4½." That is below their dignity. If it were not for the tribes they would not have those jobs.

I got fired from the Bureau of Indian Affairs because the people asked me to help them interpret some of the documents that were coming across their desks. I was able to read and write. Even though I was restricted in my education by the Bureau of Indian Affairs, I was able to do that.

We are hoping and praying to someone that a mandate will come from this committee to tell the Bureau of Indian Affairs' personnel: "You better start working with the tribes instead of working against them and trying to make a fool out of them."

I have right here a file that I could put on here: "Assistant Secretary's false promises made April 3 at Red Lake Council meeting."

We are going to do this, he said, and we are going to get the claims out and the claims are still bottled up somewhere. It is bottled up by some technician or some expert. He is making a career out of bottling up and stonewalling the services to the American Indians.

All they care about is to perpetuate their own entitlements.

So, with that, Mr. Chairman, I will sign off because I could go on and on after I have warmed up.

I hope that your committee members will read the resolutions that we have presented and will take some action. We are the first Americans in our own country.

I feel this way. I am the last American in my own country. I am being treated as such.

I want to thank you.

Senator COHEN. Thank you. The material you submitted will be inserted in the record at this point.

[The material follows:]

RED LAKE BAND OF CHIPPEWA INDIANS,
Red Lake, Minn., May 7, 1982.

SIDNEY YATES, *Chairman, House Appropriations Committee,*
Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN YATES: Enclosed you will find the Red Lake Band of Chippewa Indians Resolution opposing the closure of the Wahpeton and Flandreau Schools & the Great Lakes Intertribal Assembly Resolution (composed of 26 tribes) opposing the closure of Wahpeton and Flandreau. After being informed about the BIA's testimony about proceeding with the closure of both schools even though over a hundred people testified against this rash move on the 13th and 15th of April in Minneapolis and Aberdeen, South Dakota, I cannot see how any official of the Bureau would neglect to inform you of the results of these hearings. I understand that there were hearings in Alaska which the BIA has not released as yet.

Carmen Taylor of the BIA conducted the hearing on BIA school closures in Minneapolis. A court recorder has transcribed this testimony. Another court recorder was on hand at Aberdeen and recorded all testimony. All testimony was against any BIA school closure. It is inconceivable that the BIA would not share this information with the U.S. Congress.

In addition to the above, tribes have not had the opportunity to testify one way or another as to their wishes on the BIA's realignment plan. Red Lake has passed a resolution against the realignment plan and so have many other tribes. John Fritz of the Washington staff has informed the Tribes that the BIA does not need Congressional approval for their "realignment plan" because it is not a reorganization plan. It is appalling that Tribes must sit back and accept everything the bureau wants to shove down our throats with their hoodwinking semantics. Another ploy the BIA used was to send tribal leaders invitations to hear about their realignment plans at the same time, the same place as the BIA closure hearings, BUT, I didn't receive my invitation until AFTER the meeting was held. How long is Congress going to put up with these shenanigans?

I am appealing to you and your committee for help to deter the BIA from any further activities concerning their school closures and any further activity to put in place their ill-conceived realignment plan until your committee has had a chance to review all hearing testimony and until Tribes and Congress have been consulted on their reorganization plan.

Time and time again, Red Lake has asked for the abolishment of the Minneapolis Area Office and instead place the area authority at the reservation levels; but the bureaucrats are protecting their own jobs—their own turf and as much as to say, "to hell with what the Tribes want."

We at the reservation level are being lampooned to death by the smooth tongues of the BIA officials who are supposed to be protecting us. We cannot always be at hearings in Washington—some tribes cannot afford to go to Washington to hear the forked tongues of our so-called Indian leaders who are supposed to be our advocates. Those are the worst kind of Indians—the sell-outs who jump from one opportunity to another without a care or thought about the people they purport to represent. I keep saying that the BIA exists because of Tribes and not the reverse.

I would appreciate your assistance at the mark-up conference to get some of my ideas across.

With warm personal regards, I am

Sincerely,

Roger A. Jourdain,
Chairman.

Resolution No. 34–82

Whereas, the Bureau of Indian Affairs is now in the process of realignment within its organization affecting 12 area offices and shifting responsibilities from the central office to regional service centers, and

Whereas, the Red Lake Tribal Council has, in the past, requested relocating the Minneapolis Area Office to Duluth, Minnesota as a more centralized location.

Whereas, according to the Assistant Secretary of the Interior on Indian Affairs, Congress does not have to approve this realignment plans because it is not a "reorganization of the Bureau" and such realignment will only further reduce services to the Tribes and Bands by having the added responsibility of serving a larger geographical area, and;

Whereas, Tribes were not consulted before this plan began to take form—Tribes are only consulted after the fact.

Now, therefore, be it resolved, That the Red Lake Tribal Council hereby strongly objects to the Regional Service Center scheme and urges the Senate Select Committee on Indian Affairs and the House Committee on Interior and Insular Affairs to take such steps as are necessary to call a moratorium on any further action of the Bureau to put his plan into motion.

Resolved further, That the Red Lake Tribal Council hereby requests that, as an alternative to the Regional Service Center proposal, the following, be implemented:

1. Establish a line-authority agency at Red Lake, which will have the same decision making authority as any area office or regional service center for more effective and efficient delivery of services to the Red Lake Band of Chippewa Indians.
2. Assign existing Minneapolis Area Office personnel and positions as are requested by the Red Lake Tribal Council to the Line-Authority at Red Lake.
3. Transfer needed funding and authority from the Minneapolis Area Office for the operation at the Red Lake Line-Authority Agency.

Be it further resolved, That copies of this resolution be forwarded to the Minnesota Congressional Delegation, Senate Select Committee on Indian Affairs; House Committee on Interior and Insular Affairs; Great Lakes Assembly; Minnesota Chippewa Tribe; United Sioux Tribe; the United South and Eastern Tribes; the Northwest Affiliated Tribes and the National Tribal Chairmen's Association.

For—10.

Against—0.

We do hereby certify that the foregoing resolution was duly presented and enacted upon at the Regular meeting of the Tribal Council held on Thursday, February 25, 1982, with a quorum present at the Tribal Office, Red Lake, Minnesota.

ROGER A. JOURDAIN,
Chairman.
ROYCE GRAVES, Sr.,
Secretary.

RESOLUTION NO. 160–81

Whereas, the BIA's budgetary cut-backs are having far-reaching ramifications concerning the loss of delivery services to Indian Tribes and will drastically cut employment on the Red Lake Reservation to an alarming level, and;

Whereas, the administration of the Bureau of Indian Affairs is top-heavy with obsolete, ineffectual, and stockpiled positions which hoard the budget in every one of the Bureau's programs at the Central, area and even at the local levels, and;

Whereas, an example is the education budget of the Bureau, whereby 77 percent of that budget goes to administration and only 23 percent of the multi-million dollar budget dwindles down to Tribes, and;

Whereas, tribes were not consulted as to the cut-backs and decisions were made unilaterally and arbitrarily by Central Office officials which is unlawful.

Now, therefore, be it resolved, That the Red Lake Tribal Council does hereby appeal to the Secretary of the Interior, James Watt, Under-Secretary of the Interior, Hodel; Assistant Secretary of the Interior, Ken Smith to consult with the Tribes to determine their own priorities and help determine which BIA positions are no longer advantageous or beneficial thereby releasing those monies for Tribal services.

Be it further resolved, The Red Lake Tribal Council objects to the drastic cutbacks of federal funding for all Indian programs and projects and requests that restoration of funding be pursued.

Be it further resolved, That copies of this resolution be sent directly to the aforementioned officials and the Minnesota Congressional delegation for their earnest support and advocacy.

For—10

Against—0

We do hereby certify that the foregoing resolution was duly presented and enacted upon at the Regular Meeting of the Tribal Council held on Thursday, October 15, 1981, at the Tribal Offices, Red Lake, Minnesota.

ROGER A. JOURDAIN,
Chairman.
ROYCE GRAVES, Sr.,
Secretary.

MINNESOTA INDIAN AFFAIRS INTERTRIBAL BOARD RESOLUTION No. 6/12/81-3

Whereas, the Minnesota Indian Affairs Board was created by the legislature to be the voice of Tribes in State government, and

Whereas, the Board is duly comprised by law of the Chairmen of eleven reservation governments existing in the State of Minnesota; and,

Whereas, the smooth functioning of the Bureau of Indian Affairs is of vital importance to the day-to-day operation of reservation programs and to the very existence of the Tribes, and;

Whereas, the Minneapolis Area Office of the Bureau of Indian Affairs has traditionally been unresponsive to the will of the Tribes, and;

Whereas, the Area Office fails to serve and assist the Tribes but instead withholds grants and contracts and causes delays in the delivery of services to the reservations, and;

Whereas, the Area Office merely serves as another layer of bureaucracy between the Indian people and the Bureau of Indian Affairs.

Now, therefore, be it resolved, That the Minnesota Indian Affairs Board hereby calls on the Administration in Washington, D.C. and Congress to abolish the Minneapolis Area Office of the Bureau of Indian Affairs and reprogram the Area Office budget to local levels for the use by Tribes.

Be it further resolved, That in conjunction with the abolishment of the Area Office that the BIA establish a field office for the Sioux Tribes in a location to be mutually agreed upon by the four Sioux communities in Minnesota.

Be it further resolved, That copies of this resolution be distributed to the Minnesota Congressional Delegation, Interior Secretary James Watt, Under Secretary Hodel and Assistant Secretary Ken Smith.

We hereby certify that the foregoing resolution was duly presented and unanimously passed at a regular meeting of the Minnesota Indian Affairs Intertribal Board, held at the Lower Sioux Community, Morton, Minnesota on June 12, 1981.

ARTHUR GAHBOW,
Chairman, MIAIB.
NORMAN CROOKS,
Secretary, MIAIB.

SMITH PLEDGES INDIAN INVOLVEMENT THROUGH CONSULTATION PROCESS

Assistant Secretary for Indian Affairs Kenneth L. Smith today pledged involvement of tribal leaders through a more effective consultation process and warned that budget cuts will require sound management of all Indian programs.

Addressing the 38th annual convention of the National Congress of American Indians in Anchorage, Alaska, Smith said he had made consultation with tribes a priority item and stressed the need for recommendations and suggestions from tribal leaders.

"We are going to do things openly," Smith said, "so you can see and know and comment."

He said one way of achieving the goal of keeping tribes better informed would be to establish better communication with Bureau of Indian Affairs area and agency staffs.

"We are going to involve our line officers at the area and agency levels much more in the consultation process," he said. "Unfortunately, in the past they have sometimes been the last ones to know about plans or actions of the central office. We intend to change that."

The top Indian official said that while he would actively seek the views and suggestions of tribal leaders, consultation did not mean asking for permission to make a decision.

"We cannot abdicate our management responsibility," Smith said.

Smith said his office would have to apply principles of sound management to all programs to minimize the difficulty involved with spending reductions being sought by the Reagan administration.

"We are going to have to get our house in order very quickly," he said, "because we must anticipate further reductions for the entire federal government in 1983 and 1984. We simply cannot afford wasteful management practices."

He said that while the Bureau of Indian Affairs fared better than most agencies in the administration's first round of budget cutting, an additional 12 percent cut would have to be taken in the 1982 budget.

"We were also told that it had to be 12 percent from each of our major appropriation items," he said. "As a consequence, we couldn't take the easy way of making the cuts by taking most of them in construction."

He said the 12 percent cut required hard decisions that had to be made very quickly.

"We tried to protect those activities which we consider basic to our mission," Smith said. "These would include our elementary and secondary schools, law enforcement, general assistance for needy people, payments for dependent and abused children, trust and natural resource programs, and the basic maintenance and operation of facilities and roads."

The Assistant Secretary said he would be asking for volunteer tribes to experiment in 1982 with a consolidated block funding project.

"When this concept was introduced in our budget request earlier this year, it was tied in with the funding reduction . . . and encountered opposition," he said. "We think its flexibility makes it a useful instrument for tribes and we are going to ask a few tribes to try the idea this year."

Smith said he would request additional funding in 1983 to help small Indian tribes and to use as "seed" money to assist Indian enterprises.

"In fiscal 1983 we plan to request $5 million to provide a previously unavailable baseline of government support for small tribes which do not have the financial resources to maintain an adequate government," he said.

"We also intend to seek $10 million for 'seed' money grants to assist Indian enterprises to realize opportunities for development of Indian resources," Smith said. "We anticipate requiring that at least 75 percent of the project funding be non-federal."

Smith added that these grants would not be "giveaway money" and said an investment criteria similar to those used by banks would be adopted.

The Assistant Secretary said in anticipation of future reductions in the budget, his office was considering closing or consolidating several area offices by the end of fiscal year 1982. He also said additional savings would result from the closure of some off-reservation boarding schools operated by the BIA.

Smith said he would push for legislation to establish "enterprise zones" on reservations to provide tax credits and other tax incentives to investors.

"And we will support a bill to permit tribes to issue tax-free bonds as municipal and other local governments now do as a means of raising capital," he said.

Senator COHEN. I want to thank you.

Ms. Sundberg.

Ms. SUNDBERG. I had occasion to go to Spokane a couple of weeks ago to meet with the Federated Northwest Tribes to ask for their support in our reorganization plan; that is, our alternative reorganization plan.

They supported us, but on the side they also were talking about how they were concerned about 14 tribes that were going to have to go out and compete with the 39 tribes. I do not know what is going to happen to the 66 tribes that will have to respond to Phoenix. We have had no contact with them. But I know they probably will be very upset to have to compete with 66 more tribes in their area.

Senator COHEN. Mr. Jourdain?

Mr. JOURDAIN. Can we keep the record open so we can send some statements?

Senator COHEN. Yes. Mr. Yellowtail, you wanted some time to get your statement in?

Mr. YELLOWTAIL. I could have it in 2 or 3 days.

Mr. JOURDAIN. We will get it directly to you within a week.

Senator COHEN. We will hold the record open for 1 week from today because we have questions from the committee to which we are going to ask the BIA to reply.

So, the record will stay open for an additional week. Without objection, so ordered.

I would like to insert in the record a statement by the Miccosukee Tribe of Indians of Florida on this subject.

Without objection, so ordered.

[The statement follows:]

PREPARED STATEMENT OF THE MICCOSUKEE TRIBE OF INDIANS OF FLORIDA

On behalf of the Miccosukee Tribe of Indians of Florida, an Indian tribe recognized by the United States, I submit this statement on the reorganization of the Bureau of Indian Affairs announced on May 28, 1982. I have attached a resolution of the Board of Directors of the United South and Eastern Tribes which states the position of the Miccosukee Tribe on the BIA organizational structure in the Eastern United States.

The May 28 announcement of the Bureau conforms to our views in that the Eastern office will be located in Washington, D.C., and for programmatic purposes will be "reporting to the Deputy Assistant Secretary for Indian Affairs." However, the press release does not explain the budget structure or positions to be included in the Eastern office. In addition, "for administrative purposes, such as computer services, the tribes in those States will be served by the Southern [Anadarko, Oklahoma] region."

We have been assured orally by Bureau officials that line authority to Tribes and Agencies in the Eastern area will run from the Deputy Assistant Secretary to the Agency Superintendents and tribal governments. This is a critical point and should be clarified by the Bureau in writing. We need further explanation of what services will be provided from Anadarko. It seems impractical to provide administrative support from Anadarko to an office located in Washington, D.C.

The Miccosukee Tribe appreciates the efforts made by Assistant Secretary Smith and Deputy Assistant Secretary Fritz to revise the reorganization plans in order to strengthen the BIA presence in the East and looks forward to resolving the details noted above in cooperation with them and the other Eastern tribes.

BUFFALO TIGER,
Chairman, Miccosukee Tribe of Indians of Florida.

UNITED SOUTH AND EASTERN TRIBES RESOLUTION NO.—

Whereas, in a meeting April 27, 1982 between the Board of Directors of the United South and Eastern Tribes and the Deputy Assistant Secretary (Operations) it was agreed that an Eastern Center would be maintained in Washington, DC with direct line authority to the Deputy Assistant Secretary (Operations), and

Whereas, the proposed structure presented by the Bureau at the May 19th meeting is generally agreed to in principle, that in light of the historical inadequacies of Eastern Area Services as presently staffed, we question whether the proposed staffing will address the needs of the Indian tribes in the East, and

Whereas, we as the elected leadership of the Indian people in the East must be assured that the Bureau services will meet the needs of our people and we will not accept a continued erosion of those services, now

Therefore be it resolved, That the Board of Directors of the United South and Eastern Tribes does hereby declare its support for the concept of the plan presented to us at our May 18 and 19 meeting to include the following:

The name be the "Eastern Regional Service Center";

The office remain in the Washington, DC area;

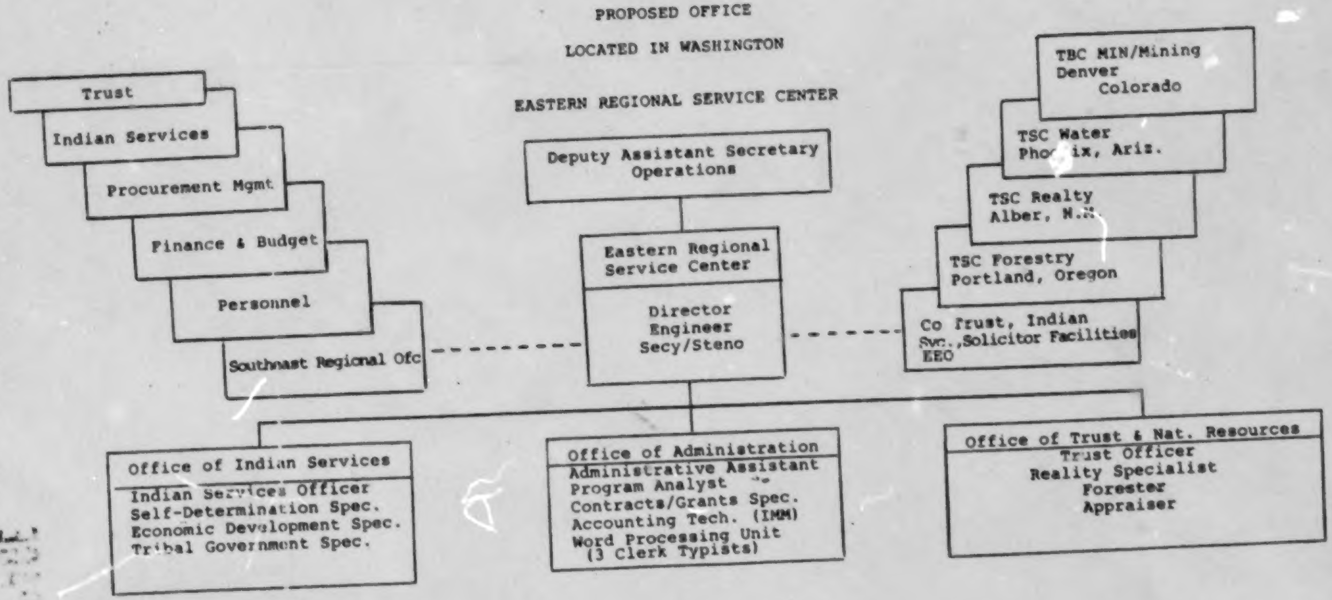
That adequate staffing for the office be provided to insure proper service provision to the expanding Eastern service population;

That we as the leadership be given the opportunity to assess the services provision capability of the Eastern Regional Services Center after a sufficient time of operation.

CERTIFICATION

This resolution was duly passed at a Board of Directors meeting, at which a quorum was present, held on May 19, 1982.

LEONARD V. GARROW,
President, Interim.
CURTIS OSCEOLA,
Secretary.

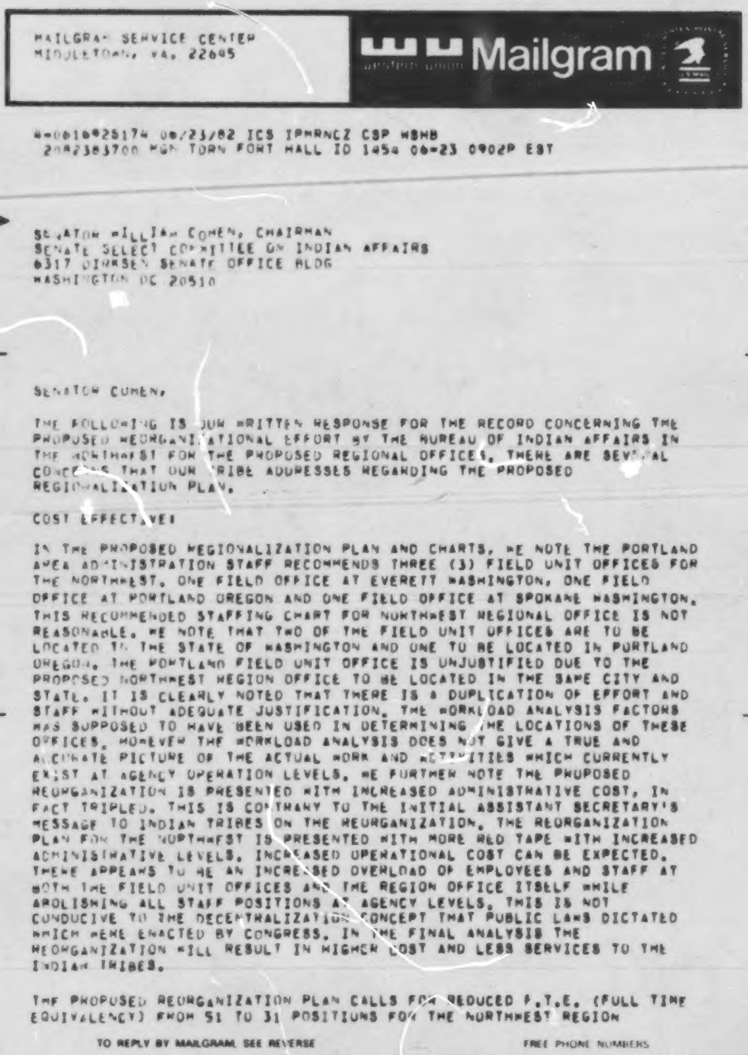

PROPOSED OFFICE
LOCATED IN WASHINGTON
EASTERN REGIONAL SERVICE CENTER
Trust
Indian Services
Procurement Mgmt
Finance & Budget
Personnel
Southeast Regional Ofc
Deputy Assistant Secretary Operations
Eastern Regional Service Center
Director
Engineer
Secy/Steno
TBC MIN/Mining Denver Colorado
TSC Water Phoenix, Ariz.
TSC Realty Alber, N.M.
TSC Forestry Portland, Oregon
Co Trust, Indian Svc., Solicitor Facilities EEO
Office of Indian Services
Indian Services Officer
Self-Determination Spec.
Economic Development Spec.
Tribal Government Spec.
Office of Administration
Administrative Assistant
Program Analyst
Contracts/Grants Spec.
Accounting Tech. (IMM)
Word Processing Unit (3 Clerk Typists)
Office of Trust & Nat. Resources
Trust Officer
Reality Specialist
Forester
Appraiser

Senator COHEN. The hearing will stand adjourned.

[Whereupon, at 12:30 p.m., the hearing was adjourned.]

APPENDIX

ADDITIONAL MATERIAL RECEIVED FOR THE RECORD



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Mailgram

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2082383700 MGM TDRN FORT HALL ID 1454 06-23 0902P EST

SENATOR WILLIAM COHEN, CHAIRMAN
SENATE SELECT COMMITTEE ON INDIAN AFFAIRS
6317 DIRKSEN SENATE OFFICE BLDG
WASHINGTON DC 20510

SENATOR COHEN,

THE FOLLOWING IS OUR WRITTEN RESPONSE FOR THE RECORD CONCERNING THE PROPOSED REORGANIZATIONAL EFFORT BY THE BUREAU OF INDIAN AFFAIRS IN THE NORTHWEST FOR THE PROPOSED REGIONAL OFFICES. THERE ARE SEVERAL CONCERNS THAT OUR TRIBE ADDRESSES REGARDING THE PROPOSED REGIONALIZATION PLAN.

COST EFFECTIVE:

IN THE PROPOSED REGIONALIZATION PLAN AND CHARTS, WE NOTE THE PORTLAND AREA ADMINISTRATION STAFF RECOMMENDS THREE (3) FIELD UNIT OFFICES FOR THE NORTHWEST. ONE FIELD OFFICE AT EVERETT WASHINGTON, ONE FIELD OFFICE AT PORTLAND OREGON AND ONE FIELD OFFICE AT SPOKANE WASHINGTON. THIS RECOMMENDED STAFFING CHART FOR NORTHWEST REGIONAL OFFICE IS NOT REASONABLE. WE NOTE THAT TWO OF THE FIELD UNIT OFFICES ARE TO BE LOCATED IN THE STATE OF WASHINGTON AND ONE TO BE LOCATED IN PORTLAND OREGON. THE PORTLAND FIELD UNIT OFFICE IS UNJUSTIFIED DUE TO THE PROPOSED NORTHWEST REGION OFFICE TO BE LOCATED IN THE SAME CITY AND STATE. IT IS CLEARLY NOTED THAT THERE IS A DUPLICATION OF EFFORT AND STAFF WITHOUT ADEQUATE JUSTIFICATION. THE WORKLOAD ANALYSIS FACTORS WAS SUPPOSED TO HAVE BEEN USED IN DETERMINING THE LOCATIONS OF THESE OFFICES. HOWEVER THE WORKLOAD ANALYSIS DOES NOT GIVE A TRUE AND ACCURATE PICTURE OF THE ACTUAL WORK AND ACTIVITIES WHICH CURRENTLY EXIST AT AGENCY OPERATION LEVELS. WE FURTHER NOTE THE PROPOSED REORGANIZATION IS PRESENTED WITH INCREASED ADMINISTRATIVE COST, IN FACT TRIPLED. THIS IS CONTRARY TO THE INITIAL ASSISTANT SECRETARY'S MESSAGE TO INDIAN TRIBES ON THE REORGANIZATION. THE REORGANIZATION PLAN FOR THE NORTHWEST IS PRESENTED WITH MORE RED TAPE WITH INCREASED ADMINISTRATIVE LEVELS. INCREASED OPERATIONAL COST CAN BE EXPECTED. THERE APPEARS TO BE AN INCREASED OVERLOAD OF EMPLOYEES AND STAFF AT BOTH THE FIELD UNIT OFFICES AND THE REGION OFFICE ITSELF WHILE ABOLISHING ALL STAFF POSITIONS AT AGENCY LEVELS. THIS IS NOT CONDUCIVE TO THE DECENTRALIZATION CONCEPT THAT PUBLIC LAWS DICTATED WHICH WERE ENACTED BY CONGRESS. IN THE FINAL ANALYSIS THE REORGANIZATION WILL RESULT IN HIGHER COST AND LESS SERVICES TO THE INDIAN TRIBES.

THE PROPOSED REORGANIZATION PLAN CALLS FOR REDUCED F.T.E. (FULL TIME EQUIVALENCY) FROM 51 TO 31 POSITIONS FOR THE NORTHWEST REGION

TO REPLY BY MAILGRAM, SEE REVERSE

FREE PHONE NUMBERS

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EDUCATION OFFICE. WITH THE REDUCED F.T.E., WE NOTE THE PROPOSED PLAN IS TO ESTABLISH THREE (3) KEY ADMINISTRATIVE LEVELS WITHIN THE REGION OFFICE WITHOUT ADEQUATE JUSTIFICATION WHEN WE NOTE THERE IS NO STAFF AT AGENCY LEVEL FOR SUCH SUPPORT ANTICIPATED. THE FOLLOWING STAFF POSITIONS PROPOSED ARE TOO CUMBERSOME. THERE ARE DEPUTY ASSISTANT DIRECTOR, DIVISION OF PROGRAMS SUPERVISORY EDUCATION SPECIALIST AND DIVISION OF ADMINISTRATIVE SUPERVISORY EDUCATION SPECIALIST POSITIONS. EACH OF THESE POSITIONS ARE PROPOSED AT HIGH G.S. RATINGS. IT DOES NOT MAKE MUCH SENSE TO CREATE DIVISIONS AND POSITIONS AT THE PROPOSED NORTHWEST REGION OFFICE WHEN THERE IS NO STAFF PLANNED FOR AGENCY OPERATION, MUCH LESS WHO THESE POSITIONS WILL SUPPORT. WE NOTE THIS TO BE AN OVERLOAD OF STAFF AT REGION AND FIELD UNIT OFFICES. THIS IS INDICATIVE OF PROTECTING CURRENT AREA STAFF FROM ANY MOBILIZATION TO EITHER FIELD UNIT OFFICE OR THE AGENCY LEVELS. THE NEW PLAN WITH THE ADDITIONAL POSITIONS IN THE REGION OFFICE WILL FURTHER REMOVE DIRECT LINE AUTHORITIES FROM THE TRIBES TO ASSISTANT DIRECTOR. CULMINATING WITH ALL ESSENTIAL NEED FOR IMMEDIATE DECISIONS FROM THE ASSISTANT DIRECTOR, THE MIDDLE LEVEL OF ADMINISTRATION CAN ONLY BE A BOTTLENECK FOR ALL IMPORTANT DECISIONS WHICH THE TRIBES WILL NEED.

THE REORGANIZATIONAL EFFORT HAS NOT TAKEN INTO CONSIDERATION THE TRAVEL LIMITATION AND RESTRICTIONS FOREVER IMPOSED. WE DO NOT PERCEIVE THAT THE REQUIRED TRAVEL TIME AND MONEY WILL BE AVAILABLE FOR THE FIELD UNIT NOR THE REGION STAFF TO WORK WITH THE TRIBES TO EFFICIENTLY AND EFFECTIVELY DISCHARGE THE FUNCTION OF ON-SITE MONITORING, TECHNICAL ASSISTANCE, TRAINING AND EVALUATION. THIS IS ANOTHER REASON WHY OUR TRIBES ARE AGAINST THE PROPOSED FIELD UNIT OFFICES. THERE IS NO ASSURANCE THAT THE TRAVEL RESTRICTIONS WILL BE LIFTED.

THE PROPOSED REORGANIZATION HAS ALSO INCREASED DRAMATICALLY IN ITS GEOGRAPHICAL AREA AND JURISDICTION. THIS MEANS THAT FORT HALL WILL BE FURTHER REMOVED FROM THE FIELD OFFICE IN SPOKANE, WASHINGTON, NOT TO MENTION EVEN FURTHER FROM REGIONAL OFFICES ITSELF.

THE PROPOSED CREATION OF THE ADDITIONAL OFFICES IN THE THREE FIELD UNITS WILL AMPLIFY SOME OF THE CURRENT ORGANIZATIONAL AND FUNCTIONAL PROBLEMS IN THE NORTHWEST. THIS PRESENTS A NEGATIVE EFFECT ON THE TOTAL SCOPE IN SERVICE DELIVERY SYSTEM FOR LOCAL LEVEL. LOCAL CONTROL IS BEING ARBITRARILY REMOVED. FOR EXAMPLE, THE PUBLIC LAW 93-638 CONTRACT PROPOSAL WILL HAVE TO BE SUBMITTED BY THE SHOSHONE-BANNOCK TRIBES TO SPOKANE FIELD UNIT OFFICE BEFORE REACHING A CONTRACT OFFICE IN PORTLAND AND INVERSELY CHANNELED BACK TO SPOKANE BEFORE REACHING OUR TRIBES.

THIS PROCESS NOT ONLY WILL BE DETRIMENTAL FOR SERVICE DELIVERY TO OUR TRIBES, BUT WILL FURTHER NEGATE EFFICIENT AND EFFECTIVE PUBLIC LAW 93-638 CONTRACT ADMINISTRATION. THE NEW PLAN IS CONCEIVABLE TO CREATE FOUR (4) LEVELS OF ADMINISTRATIVE REVIEW ON CONTRACTUAL DOCUMENTS BEFORE BEING FINALIZED. THIS COULD MEAN LOSS OF TIME, AND CONTRACTUAL DOCUMENT ITSELF. THIS IN OUR OPINION IS NOT STREAMLINING THE CURRENT

ADMINISTRATIVE PROCESS. WE FURTHER NOTE THAT THE BURDEN OF COST IN TRAVEL IS BEING SHIFTED TO THE TRIBES IN THE NEW PLAN. IF WE ARE EXPECTED TO TRAVEL TO SPOKANE FOR TECHNICAL ASSISTANCE AND TRAINING, THIS IS UNREALISTIC. WE DO NOT ANTICIPATE ANY IMMEDIATE RESPONSE TO OUR NEED FOR TECHNICAL ASSISTANCE OR TRAINING FROM THE SPOKANE OFFICE DUE TO THEIR EXPANDED GEOGRAPHICAL AREA TO BE SERVED BY THE OFFICE. THERE IS NO ASSURANCE THAT THERE WILL BE A WORKABLE PLAN IN THE REGION OR FIELD UNIT OFFICE THAT EQUITABLE SERVICES WILL BE PROVIDED TO TRIBES AFFECTED. IT IS NOT REASONABLE TO TRANSFER FUNCTIONS WHEN DIRECT AND ACTUAL SERVICES HAVE BEEN PROVIDED AT THE AGENCY LEVEL.

THE COLLEGE STUDENTS AT FORT HALL WILL NOT BE SERVED PROPERLY BY THE FIELD UNIT OFFICES. THERE WERE APPROXIMATELY 50 OR MORE STUDENTS WHO WERE ENROLLED IN ACADEMIC STUDIES THIS PAST FISCAL YEAR. THE COUNSELING AND HUMAN SERVICES WILL AGAIN, BE FURTHER REMOVED. PAPERWORK SERVICES ARE NOT EFFECTIVE. HOW CAN THE COLLEGE STUDENTS BE BETTER SERVED BY A MORE DISTANT FIELD UNIT OFFICE? MANY TRIBES IN THE NORTHWEST HAVE MADE DECISIONS NOT TO CONTRACT THE COLLEGE STUDENT ASSISTANCE PROGRAM. THE PUBLIC LAW 93-638 LAW GIVES US THAT OPTION. OUR TRIBE HAS NOT AND DOES NOT INTEND TO CONTRACT FOR THE PROGRAM. THE RATIONALE BEING THAT THERE ARE NO OVERHEAD COSTS PROVIDED AND WE DO NOT WISH TO TAKE FUNDS AWAY FROM THE COLLEGE GRANTS TO ADMINISTER THE PROGRAM. EXPERIENCE HAVE SHOWN THAT ACTUAL WORK PERFORMED AND DELIVERY OF SERVICES HAVE BEEN PERFORMED BY AGENCY STAFF AND LITTE, IF ANY, BY CURRENT AREA STAFF. CONSOLIDATING ALL AGENCY OFFICES INTO FIELD UNITS AT DIFFERENT LOCATIONS IGNORES THE WORK REQUIREMENT AT LOCAL LEVEL AND FURTHER PROVIDED NO CREDIT TO THE AGENCY EDUCATION STAFF.

THE NEW PROPOSED PLAN REMOVES THE PROGRAM FUNCTIONS TO THE FIELD UNIT OFFICE AND REGION LEVEL. THE IMPACT OF PROGRAM ACCOUNTABILITY IS WEAKENED. THERE WILL BE NO DAY-TO-DAY CONTACT WITH TRIBES FOR NEEDED CONSULTATION WITH RESPECT TO PROGRAMS AND CONTRACT OPERATION. THE BURDEN IS BEING SHIFTED TO TRIBES FOR ACQUIRING THE NEEDED TECHNICAL SUPPORT AND DIRECT SERVICES. THERE ARE TOO MANY UNANSWERED QUESTIONS AND ASSUMPTIONS.

THE PROPOSED PLAN ASSUMES THAT THERE ARE NO J.O.M. ACTIVITIES AT FORT HALL. THE OFFICE OF EDUCATION AT FORT HALL CERTIFIES APPROXIMATELY 800 INDIAN STUDENTS FOR THE SURROUNDING PUBLIC SCHOOL DISTRICTS AND OTHER DISTANT SCHOOL DISTRICTS REQUESTING SUCH CERTIFICATION. THE TECHNICAL ASSISTANCE IS CURRENTLY BEING PROVIDED TO PARENT COMMITTEES AND SCHOOL DISTRICTS. ABOLISHING STAFF POSITIONS AT FORT HALL FURTHER NEGATES THE LOCAL CONTROL BY INDIAN TRIBES RELATIVE TO INDIAN EDUCATION.

PUBLIC LAW 93-638:

REASON FOR ACTIONS TO REALIGN THE BUREAU OF INDIAN AFFAIRS EDUCATION COMPONENT AND THE TIMING OF THE REORGANIZATION IS ALSO OF CONCERN TO US. THE INDIAN SELF-DETERMINATION ACT AND ITS IMPLEMENTING REGULATIONS IS THE RATIONALE USED IN THE TOTAL REORGANIZATIONAL

TO REPLY BY MAILGRAM, SEE REVERSE

EFFORT. THE PROPOSED PLAN ASSUMES THAT ALL EDUCATION FUNCTIONS AND PROGRAMS ARE CONTRACTED BY THE TRIBES. IT FURTHER ASSUMES THAT ALL WILL BE CONTRACTED. MANY TRIBES HAVE NOT AND PROBABLY DOES NOT INTEND TO CONTRACT EVERYTHING. THE PUBLIC LAW 93-638 REGULATIONS AFFORDS US THAT CHOICE. COLLEGE STUDENT ASSISTANCE FUNDS IS A GOOD EXAMPLE. IT IS QUESTIONABLE FOR TRIBES TO ENTER INTO THESE CONTRACTS AND GRANTS AT A TIME WHEN THE GROWING TREND IS BUDGET CUTTING IN ADMINISTRATION AND PROGRAM AREAS.

THE ILLEGAL APPLICATION OF PUBLIC LAW 95-224 TO PUBLIC LAW 93-638 CONTRACTUAL PROCESS IS ALSO OF CONCERN TO US. THE QUESTION REMAINS UNANSWERED AS TO HOW THE TRIBES ARE TO STRENGTHEN ITS GOVERNMENT WHEN PROGRAM FUNDS ARE CONTINUOUSLY DEPLETED YEAR AFTER YEAR. IN ESSENCE, THERE IS NO GUARANTEE THAT THERE WILL BE ANY BUREAU POSITIONS TO PROVIDE ADMINISTRATION OF EDUCATION PROGRAMS SHOULD THE TRIBES DECIDE TO RETROCEDE ITS CONTRACTED PROGRAMS.

2110H EST

MGMCOMP

Big Pine Band of Paiute/Shoshone Indians
Big Pine Indian Reservation

June 8, 1982

Mr. William S. Cohen, Chairman
Senate Select Committee on Indian Affairs
6317 Dirksen
Washington, DC 20510

Mr. Cohen:

The Big Pine Paiute/Shoshone Tribal Council request your recognition of Resolution number 82-3 as an introduction to the position of our Band.

The self-sufficiency of our people has been and will continue to be the priority of our Band and leaders.

BIG PINE PAIUTE/SHOSHONE TRIBAL COUNCIL

Cheryl Coleman

Cheryl Coleman
Chairperson

Big Pine Band of Paiute/Shoshone Indians
Big Pine Indian Reservation

RESOLUTION NO. 82-3

WHEREAS: *The Big Pine Paiute/Shoshone Tribal Council, the recognized government, representative, of the Big Pine Band of Paiute/Shoshone Indians has not been consulted or informed of the proposed realignment of program services delivered by the Bureau of Indian Affairs, and*

WHEREAS: *On February 22, 1982, the Sacramento Area Office, Bureau of Indian Affairs, mailed the proposed realignment plans to Tribal governments, in California; this correspondence being the first information that all California tribe's received in learning of the proposed realignment plans, and*

WHEREAS: *the Department of the Interior, Bureau of Indian Affairs, has began implementation of the, yet, proposed realignment, and*

WHEREAS: *in attempting to review what little information we were able to acquire, the proposed realignment of the Bureau of Indian Affairs organizational structure has placed us and other California tribes at a disadvantage in our attempts to become self-sufficient. The Assistant Secretary on Indian Affairs has accomplished this, by:*

1. *Proposing an organizational abolishment of all Bureau of Indian Affairs Area Offices, which presently perform its middle management functions;*
2. *Replacing these Area Offices and selected Central Office organizations with a limited amount of "Service Centers" formed through the abolishment, consolidation and reorganizations of the former Area Offices;*
3. *Abolishing the Bureau middle management function and presence from its current geographical location in the State of California Tribes and BIA agencies to a federal middle management presence in the form of administrative and programmatic capability;*
4. *Dividing the current Sacramento Area Office service population between two out-of-state center formed predominantly from the present Phoenix Area Office and Portland Area Office jurisdictions, and including a part of the Billings Area Office jurisdiction;*

BIG PINE INDIAN RESERVATION
RESOLUTION NO. 82-3
(In Protest to realignment of BIA program services)
Page two of three

5. Dividing and reconstructing the California geographical areas and tribal communities which have become accustomed to dealing with the area office organizational structures and combining them with tribal communities which have no common structural background, or economic and education development needs or accomplishments;

6. The Portland and Phoenix Area Offices, their agencies and Tribal constituents have experienced a long history of a federal presence performing middle management Bureau of Indian Affairs functions. Consequently, their average levels of tribal government capacity building, economic and educational development, and standards of living conditions as well as their levels of tribal sophistication in negotiating with the BIA, other federal and state agencies far exceed those of the California Tribes, and

WHEREAS: withdrawal of the Federal middle-management presence from the direct access of the California tribes is neither organizationally sound nor based upon objective statistical research; or based upon professionally structured organizational studies. There are no recently published reports revealing that the Department of the Interior conducted, or caused to be conducted, an objective, statistically-based organizational studies and need assessments which, clearly indicates:

1. The actual amount of management presence necessary to adequately fulfill the federal fiduciary and trust responsibilities which comprises the mission of the Bureau of Indian Affairs;

2. Clearly defined study result which set forth California tribal needs or demonstrated the cost effectiveness of serving them from geographically remote service centers;

3. A demonstrated lack of need for a BIA middle management function directly accessable to California local BIA agencies and tribes;

4. A clear and realistic analysis of the nature and amount of the workload required of BIA middle management functions in California (The Deputy Assistant Secretary-Indian Affairs (operations) has mentioned that these changes were proposed to meet the changing workload.

BIG PINE INDIAN RESERVATION
RESOLUTION NO. 82-3
(In Protest to realignment of BIA program services)
Page three of three

5. *The existence of marked similarities in culture, tribal government sophistication, educational achievement and economic development between the tribes in the current Sacramento Area Office jurisdiction and those in the Phoenix and Portland area office jurisdiction as to prompt a decision to merge the service area population, or,*

6. *The long-range effects of this Department of the Interior decision on the federal/tribal government to government relationship.*

NOW, THEREFORE BE IT RESOLVED, that the implementation of the proposed realignment of the Bureau of Indian Affairs program services halted until a complete understanding is obtained by all tribes in California. The process of presenting the plan to the tribes must be conducted through the Senate Select Committee on Indian Affairs by holding oversite hearings throughout the nation.

BE IT FURTHER RESOLVED, that this resolution be submitted to the Senate Select Committee on Indian Affairs; Bureau of Indian Affairs Central California Agency Office; California Congressional Delegate, Morris Udall; Congressman Sidney Yates, House Appropiations Committee; and President Ronald Reagan.

CERTIFICATION

The foregoing Resolution was duly enacted by the Big Pine Paiute/Shoshone Tribal Council, at a meeting at which a quorum was present with a vote of five (5) for; None (0) against; and no (0) abstentions. Said Resolution is not subject to review by the Secretary of the Interior and is effective as of the date of its enactment by the Big Pine Paiute/Shoshone Tribal Council.

ATTEST:

Cheryl Coleman
CHERYL COLEMAN, CHAIRPERSON

CARL HERNANDEZ, SECRETARY

April 6, 1982
DATED

The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone 395-4478 or 395-4727 · Rocky Boy Route · Box Elder, Montana 59521

June 1, 1982

Representative Sidney Yates
Chairman, House Interior
  Appropriations Subcommittee
B308 Rayburn HOB
Washington, D.C. 20515

Dear Congressman Yates:

This is to inform you that the Chippewa Cree Tribe of the Rocky Boy's Reservation strongly opposes the proposed centralization and reorganization plans for the Bureau of Indian Affairs area offices. This same sentiment was expressed at the "consultation session" held at the BIA area office in Billings, Montana. Our opposition to this reorganization has remained constant.

As it now stands, tribal business conducted with the Billings Area Office frequently involves contact with various offices regarding a variety of program matters. The proposed reorganization would move the area office to Aberdeen while other "specialized" offices would handle numerous other services. Spreading these offices over a wide geographic area would require considerable time and expense on the part of the Tribe to insure adequate service delivery.

The current reduction in federal funding has made it difficult enough to maintain programs on the reservation. We anticipate that the proposed reorganization would have the overall effect of increasing our expenses and jeopardizing efficient service delivery and result in an overall reduction in meeting the needs of our People.

Past experience with federal agencies has taught us that the further removed they are from our own geographic area, the more depersonalized their service. A major priority for obtaining needed services is to deal with individuals who know and understand the particular needs of our People and Our Reservation. We believe the proposed reorganization would seriously undermine this.

In recent years considerable progress has been made by the Indian People in Montana with regard to recognizing common problems as well as common goals and objectives. Organizations such as the Montana Inter-Tribal Policy Board have been formed for the expressed purpose of coordinating efforts between reservations. The proposed reorganization would have the effect of undermining these efforts as well since five Montana tribes would be using the Aberdeen Area Office while two other Montana tribes would be assigned the Portland Area Office.

While the Bureau of Indian Affairs maintains that the proposed changes would reduce costs and result in more efficient operation, we maintain that any such benefits would come at the expense of the Indian People.

We earnestly hope that the Billings Area Office will be maintained and that service delivery will continue to meet the needs of our People.

Again, let me state that we are unalterably opposed to this reorganization plan.

Sincerely,

John Windy Boy

John Windy Boy,
Chairman

CORTINA BAND OF INDIANS
P.O. BOX 41113
SACRAMENTO, CALIFORNIA 95814

February 19, 1982

William S. Cohen, Chairman
Senate Select Committee on Indian Affairs
6317 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Cohen:

I strongly object to the Administration's proposal to close the Bureau of Indian Affairs Sacramento Area Office.

My Tribe is very small and it will be an extreme hardship for us to travel to the Portland Office to conduct business as proposed. It is already a hardship for some tribal officials to get to Sacramento as necessary.

Your assistance in ensuring that we have an opportunity to present our recommendations and alternatives to complete closure of the office will be appreciated.

Sincerely,

Mary Mae Norton

Mary Mae Norton
Chairperson

State of California
GOVERNOR'S OFFICE
OFFICE OF AMERICAN INDIAN COORDINATOR
1400 TENTH STREET
SACRAMENTO 95814
(916) 322-4811

EDMUND G. BROWN JR.
GOVERNOR
OFFICE OF
PLANNING AND RESEARCH

February 19, 1982

Senator William S. Cohen
Chairman
Select Committee on Indian Affairs
6317 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Cohen:

We object to the Administration's proposal to close the Sacramento Area Office of the Bureau of Indian Affairs. California has the largest Indian population of any state in the country and more than 80 federally recognized reservations.

We have been informed by many tribal officials that there has not been an opportunity for California tribal officials to consult with the California congressional delegation or even administration officials on the proposed Area Office closure.

We are very concerned that the proposals to divide the State and have some tribal governments relate to the Portland Office and some relate to the Phoenix Office will create an undue hardship on tribal officials who often have a hard time even getting to Sacramento.

Your assistance in ensuring that California tribal officials have an opportunity to be heard on this will be appreciated.

Sincerely,

Rachel A. Bluestone

Rachel A. Bluestone
American Indian Coordinator

State of California
GOVERNOR'S OFFICE
OFFICE OF AMERICAN INDIAN COORDINATOR
1400 TENTH STREET
SACRAMENTO 95814
916-322-4811

EDMUND G. BROWN JR.
GOVERNOR
OFFICE OF
PLANNING AND RESEARCH

June 10, 1982

Honorable William [illegible] Cohen, Chairman
Senate Select Committee on Indian Affairs
United States Senate
Washington, D.C. 20510

Dear Senator Cohen:

During the past several weeks Northern and Central California tribal chairmen have expressed their opposition to the Bureau of Indian Affairs (BIA) proposed realignment for California. In fact, Northern and Central California chairmen have submitted an alternative proposal to the planned California realignment. The Assistant Secretary for Indian Affairs, Ken Smith, has not yet responded to this alternative. We are extremely concerned that the BIA seems to be ignoring California tribal officials and did not even extend the courtesy of a reply before signing the order to close the Sacramento Area Office.

It is our understanding that the Central Office has instructed Sacramento Area officials to find $500,000 in this year's Area budget to complete the closing of the Area Office. It is also our understanding that this $500,000 may have to come from program monies. This planned re-direction of program dollars is objectionable; particularly since California tribes are already underfunded.

Even though California has the largest Indian population of any state in the country and more than 80 federally recognized tribes, the federal BIA budget for California has decreased from 1.93% in fiscal year 1973 to .97% in fiscal year 1982. The fiscal year 1983 budget projects California to receive only .56% of the total BIA budget. This decrease has happened even though the California reservation population has increased. The Bureau is currently using the figure of 17,861, or 2.4% of the national reservation population, for California's reservation population, and the reservation population is 24,129 (see attachment). Based on the 24,129 population figure, California's reservation population is 3.25% of the total.

We respectfully urge your Committee to consider holding hearings in California concerning the continued inequity in BIA funding, the proposed realignment for California, and other appropriate issues.

Your consideration of our recommendation is appreciated.

Respectfully,

Rachel A. Joseph

Rachel A. Joseph
American Indian Coordinator

Attachments

cc: Members, Senate Select Committee on Indian Affairs

Montana Inter-Tribal Policy Board

[redacted]
2303 Grand Ave., Suite 6, Billings, MT 59102
(406) 652-3113

OFFICERS

CHAIRMAN
Bill Youpee
Fort Peck

1ST VICE CHAIRMAN
Phyllis Spang
Northern Cheyenne

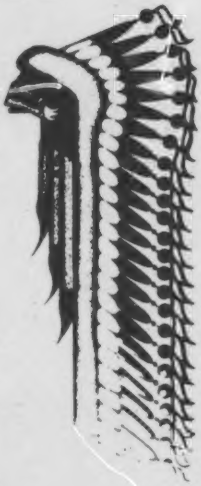
2ND VICE CHAIRMAN
Bill Yellowtail
Crow

SECRETARY TREASURER
Don Bishop
Little Shell

MEMBER TRIBES

Blackfeet
Crow
Flathead
Fort Belknap
Fort Peck
Little Shell
Northern Cheyenne
Rocky Boy

Executive Director
Clayton Small
Northern Cheyenne



RE[illegible]AR 0 2 1982
February 25, 1982

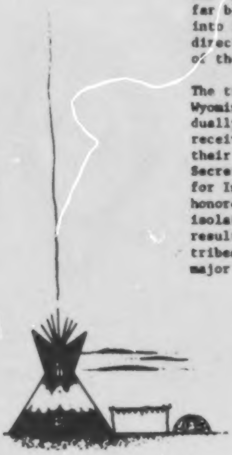
Honorable William S. Cohen, Chairman
Senate Select Committee on Indian Affairs
6313 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Cohen:

The tribal leaders from the eight Indian Reservations of Montana and Wyoming respectfully request your consideration and assistance for seeking a hearing with the Senate Select Committee on Indian Affairs regarding the U.S. Bureau of Indian Affairs' proposed realignment plan.

This request is based upon the tribes' severe concerns with the nature of the plan itself, and upon the fact that the tribes have thus far been denied any opportunity to offer input into the formulation of a plan that will have direct and very drastic effects upon the conduct of their affairs.

The tribes of the Billings Area (Montana and Wyoming) have repeatedly requested, both individually and collectively, some opportunity to receive first-hand information and to express their views with regard to this plan with the Secretary of Interior and the Assistant Secretary for Indian Affairs. These requests have not been honored, and the tribes have been kept totally isolated from the decision-making process that has resulted in the formulation of the plan. The tribes have only lately been informed of the major aspects of the plan, but no rationale has



been offered and therefore the entire concept remains incomprehensible. Important questions remain unanswered, so tribes are reduced to a position of reacting to rumors and speculation.

All nine tribal chairmen of the Billings Area met on February 1, 1982, to confirm their unanimous consensus in opposition to any plan to remove the Billings Area Office of the Bureau of Indian Affairs from Billings. This consensus was reaffirmed after tribal leaders had been briefed about the Bureau's plan on February 23. The tribal leaders expressed six of their concerns with the specific matter of the planned removal of the Billings Area Office, as outlined below:

1. The northern plains areas (i.e., Billings and Aberdeen) have not been considered fairly in the proposed plan. A case in point is the fact that the two areas have, under their jurisdiction, over two-thirds of the total trust allotments in the United States. For this reason alone, it hardly seems justifiable to consolidate these two important Area Offices when little significant consolidation is proposed throughout the rest of the areas in the country. It would appear that these two areas are being singled out to bear a disproportionate share of the Bureau's cost savings.

2. The Billings Area is currently the focus of tremendous energy resource development. The tribes within the Billings Area have over 1200 producing oil and gas wells, and coal production is now approximately 5,000,000 tons per year with plans which would triple this production. In fact, the Montana and Wyoming tribes constitute an increasingly significant energy resource area; to actually reduce the total attention paid to this area, as the plan suggests, would appear questionable.

3. The actual cost-saving strategy of creating a new area office in Rapid City, South Dakota is unclear. This is especially questionable in view of considerations such as moving cost, facilities availability and the cost of transportation to and from Rapid City for both reservation-based and area office-based personnel.

4. The realignment plan, with the proposed Aberdeen/Billings consolidation, will effectively reduce accessibility of BIA services to Billings Area tribes. This, along with reductions and consolidations in local BIA Agency-level services that are soon to be proposed, will leave tribes with a net loss of real service access.

5. The tribes will face greatly-increased travel cost if they are required to deal with a Rapid City location. Conversely, field travel

for Rapid City-based BIA personnel will increase in the same proportion. With current and prospective travel restrictions, this factor will likely result in even further reduction of services to tribes.

6. The regionalization of technical services poses serious impracticalities. For example, the placement of water rights services in Albuquerque as proposed will create accessibility problems. But more important, the northern plains tribes point out that their water rights issues are quite different from southwest area issues, and they are very concerned that service center placement outside of the Billings Area may result in a reduction in quality and concentration of technical services in this crucial area.

In summary, the tribes of the Billings Area feel an urgent need to express their concerns regarding the proposed BIA area office realignment plan. Therefore, they are anxious to address the Senate Select Committee on Indian Affairs, preferably in a field hearing in Billings, if that is at all possible. However, tribal leaders have indicated that they are sufficiently concerned that they would be willing to travel to Washington, D.C. to attend a hearing, if necessary.

Thank you for your consideration. I will be pleased to provide any information that you may require.

Sincerely,

William P. Yellowtail, Jr.

William P. Yellowtail, Jr.
Executive Director

MUSKOGEE
CHAMBER OF COMMERCE, INC.
P. O. BOX 797 ■ A. C. 918/682-2401 ■ MUSKOGEE, OKLAHOMA 74401

June 16, 1982

The Honorable James McClure
United States Senator
1208 Dirkson Senate Office Bldg.
Washington, D.C. 20510

Dear Senator McClure:

I am quite sure representatives of the Bureau of Indian Affairs have presented a cut and dried case in favor of their plan for consolidation of 12 area offices into five regional offices to serve American Indians nationwide. I know nothing of the areas outside of Oklahoma, but I can assure you that an economic study has not been done which will compare cost of conversion and operation of a B.I.A. Office in both Muskogee and Anadarko, Oklahoma.

To begin with the selection of Anadarko as the site and the figures used to convince John Fritz and Ken Smith of the B.I.A. Offices in Washington, were submitted by Stanley Speaks, who presently serves as Area Director of the Anadarko facility. His figures are defilitely slanted in favor of his community and although we have disputed their accuracy and called comparisons to the attention of the Washington officials, we have been ignored. He is slated to serve as Regional Director in Oklahoma.

Although we have attempted to carry on communications with the B.I.A., through our Oklahoma Congressional Delegation, they too have been ignored. The reason is that John Fritz advised Area Directors, a few months ago, that he was a staff member of a special task force appointed by Secretary of the Interior James Watt, at the request of the President, and that he was not accountable to any Congressman. Senator Boren and Congressmen Jones, Watkins and Synar have also become somewhat frustrated because they can get no answers from the B.I.A. Office.

Let me advise you at this point that officers and directors of this organization have voted, unanimously, that if closing the Muskogee Office and moving both the B.I.A. area office and the Five Civilized Tribes Agency to Anadarko is economically feasible and can save the taxpayers money, they could not conscientiously object to such action. But, this has not been proven because figures were distorted.

OKLAHOMA'S FIRST PORT CITY . . . IN THE HEART OF GREEN COUNTRY

ACCREDITED

I could provide you and members of your Committee with many valid reasons why Muskogee is the logical place for a consolidated Regional Office, but I'm sure I would be considered prejudiced. Therefore, I urgently request that no action be taken to approve the consolidation plan or to allocate funds for carrying it out until such time as an economic feasibility study can be made by an impartial party or parties.

I have in my posession three petitions which have been circulated in Oklahoma by people who can see no reason for the B.I.A.'s proposal to close the Muskogee office. These petitions contain 9,281 signatures, 3,926 of which are members of Indian Tribes.

Indians have not been given the opportunity to speak in their behalf because there have been no public hearings in the areas which are to be affected. Only their Chiefs were called in for conferences and promised that if they would not interfer with Ken Smith's plan that they would be given more money with which their individual tribes could contract for services. The Chief of the Choctaw Indians is undergoing a trial at this time for embezzlement of Tribal funds and this is not the first time this has happened. It seems much more practical for the B.I.A. to continue with these services rather than the Chiefs.

I could write many pages of reasons why the proposed consolidation plan is not feasible, but they would be brought out through an accurate study if it is made by an impartial group. I sincerely hope your Committee will insist that this be done, as it will definitely save tax dollars and serve more individual Indians who were intended to be served instead of just their chiefs. It should be of interest to know that Choctaw Indian Tribal Council members voted unanimously in favor of a resolution to keep the B.I.A. offices and the Five Tribes Agency in Muskogee, but the Chief vetoed it. The Council members then regrouped and over-rode his veto. This should provide a message to Washington to the effect that the people who are to be served by the B.I.A. and the Tribal Agency want things left as they are. A thorough investigation, as well as a public hearing would be welcomed by many of us in this area.

Your consideration of these facts will be greatly appreciated.

Respectfully,

Bob Wright
Executive Vice President

Wesley E. Bobb
P.O. Box 1404
McAlester OK 74501

Senator James A. McClure
Dirksen Senate Office Building Rm. 1208
Washington D.C 20510

Re: BIA Reorganization Plan

Dear Senator McClure;

This is in response to the above captioned matter. I am opposed to the consolidation of the Muskogee Area office to the Anadarko office.

The Muskogee office is vital to the business and community affairs of the city of Muskogee. Its strategic location in Muskogee better serves and makes expedient the tribal matters of the Five Civilized tribes. A move would have a negative economic and sociological impact in the area.

I am sure you will vote against the move upon seriously considering the far-reaching implications

Yours Truly,

Wesley E. Bobb

P.S. I am a member of the Choctaw Nation of OK

Robbie Walton
P.O. Box 1404
Macalester OK. 74501

Dear Senator McClure:

In the best interests of the five civilized tribes and the citizens of Muskogee OK. Please vote to keep the area office open in Muskogee.

Sincerely yours
Robbie Walton

P.S
I'm a member
of Chickasaw
Nation

NATIONAL FEDERATION OF FEDERAL EMPLOYEES

JAMES M. PEIRCE • PRESIDENT
ABRAHAM ORLOFSKY • SECRETARY TREASURER

1016 16th St., N.W. WASHINGTON, D.C. 20036 PH: 202-862-4400

SERVING THE FEDERAL EMPLOYEE SINCE 1917

In reply refer to: USS-PT-27

May 3, 1982

RECEIVED [illegible] 0 5 1982

The Honorable William Cohen
Chairman, Senate Select Committee on
Indian Affairs
6313 Dirksen Senate Office Bldg.
Washington, D.C. 20510

Dear Senator Cohen:

The Bureau of Indian Affairs has proposed a large reorganization within its technical and educational area offices. The National Federation of Federal Employees is strongly opposed to this plan and, in my earlier correspondence of March 25, I briefly explained NFFE's position. I would now like to call your attention to a more complete analysis of the Bureau's reorganization proposal. Enclosed is a copy of my recent letter to the Department of Interior on the reorganization.

The Bureau's proposals will ultimately have a devastating impact upon the Indian tribes and communities served by the Bureau as well as the BIA employees themselves. I urge you to examine the effects of the BIA reorganization and to oppose such an ill-conceived plan.

Sincerely,

James M. Peirce

James M. Peirce
President

Encl: 1 Copy NCR Letter on
BIA Reorganization

Vice Presidents: Region 1, Paul C. McNaught, Woburn, Mass. • Region 2, J. Richard Hall, New York, N.Y. • Region 3, A. B. Reynolds, Panama City, Fla. • Region 4, Richard E. Beiman, Trotwood, Ohio • Region 5, Prospero (Pros) Chavez, Albuquerque, N.M. • Region 6, Mariano Stallon, Vista, Cal. • Region 7, Albert W. Lampton, Richland, Wash. • Region 8, Gary W. Blrion, Independence, Mo. • Region 9, Charles B. Smith, Cincinnati, Ohio

NATIONAL FEDERATION OF FEDERAL EMPLOYEES

JAMES M. PEIRCE • PRESIDENT

ABRAHAM ORLOFSKY • SECRETARY TREASURER

SERVING THE FEDERAL EMPLOYEE SINCE 1917

1016 16th St., N.W. WASHINGTON, D.C. 20036 PH: 202-862-4400

In reply refer to: BIA-CB-07

March 29, 1982

HAND DELIVERY

Mr. Morris A. Simms
Director of Personnel
U.S. Department of the Interior
Washington, D.C. 20240

Dear Mr. Simms:

This refers to the material your staff has provided us and to your letter of March 5, 1982, concerning the proposed reorganization in the Bureau of Indian Affairs. We have reviewed the information on the proposed reorganization very carefully and we find that we must strenuously oppose it on the grounds that it will be contrary to the Bureau's mission as well as have a devastating effect on the BIA's employees.

The reorganization calls for a realignment of the Bureau's field structure. The current 12 Area Offices are slated to be eliminated and 6 Regional Service Centers are to be established in their place. Each Regional Center will of necessity have a larger geographic sector for which it has responsibility than the current Area Office. Because of increased distance from the technical staff, service to some tribes will inevitably decrease or be eliminated. Furthermore, the services BIA staff provide to the tribes involve personal contact. Either Bureau employees travel to the reservations or agencies, or tribal leaders travel to the Area Office. The increased distances will lead to increased travel costs, both to the tribes and the Government.

Each individual instance of closing an office will have harmful effects. The Billings Area Office serves a number of tribes in Montana where there is an unprecedented amount of oil, gas and coal activity. The Bureau's trust responsibilities require regular close contact with these tribes. Yet, it is proposed to close the Billings Office and serve these tribes from Rapid City, South Dakota. The increased travel expenses cited above are exacerbated by the fact that air travelers can reach Rapid City only by making connections in Denver or Minneapolis.

Vice Presidents: Region 1, Paul C. McNaught, Woburn, Mass • Region 2, J. Richard Hall, New York, N.Y. • Region 3, A. B. Reynolds, Panama City, Fla • Region 4, Richard E. Bowman, Tofton, Ohio • Region 5, Prospero (Pros) Chavez, Albuquerque, N.M. • Region 6, Mariano Steffen, Vista, Cal • Region 7, Albert W. Lampton, Richland, Wash. • Region 8, Gary W. Brown, Independence, Mo • Region 9, Charles G. Smith, Cincinnati, Ohio

According to the Bureau of Labor Statistics, unemployment for the Billings, Montana metropolitan area was 4.5% in December, 1981. In January 1982, however, the figure had risen to 6.0%. Closing the Billings Area Office at a time like this, adding up to 100 to 150 more employees transferred to the unemployment rolls, is a gross disservice both to the community and to the employees.

The situation in Aberdeen is similar. The tribes served by this office also need close contact with technical personnel. There is no direct road connection between Aberdeen and Rapid City, and air travelers would have to make the same connections as those traveling from Montana. We also must question the utility of closing down operations in two cities and moving to a third in which BIA has no current office space. The expense of moving files, equipment, and other materials into the new location will be enormous. We also expect that office space in Rapid City will come at a premium price.

According to the BIA's own numbers, California has more Native Americans within its borders than any other state. It does not seem right then for the Bureau to close the Sacramento Area Office and serve the California tribes from Portland, Oregon. There is a great deal of timber, mining and oil activity on California Indian land that needs close monitoring by Bureau technical personnel. This close contact will either come at a higher cost or be diminished if the assistance has to come from Portland. Unemployment in December, 1981 (the most recent data available) was 10.7% in the Sacramento metropolitan area. One only needs to read the newspaper to deduce that this figure has probably worsened since then. Closing the Sacramento Office would only compound this already serious situation.

In Oklahoma, we again find the Bureau seeking to close two existing offices and open an office in a third city at which it currently has no facilities at all. While the state of Oklahoma's unemployment rate is comparatively low on an overall basis, the rates in Anadarko and Muskogee are higher, with Muskogee's reaching 8% in December, 1981. Taking jobs from these cities at this time is not responsible management. Closing the Anadarko Office is particularly outrageous. The Wichita-Caddo-Delaware tribes built the Area Office building on tribal land with the express understanding that the BIA would operate an office there. If the Bureau leaves, the Government will still be paying for a 12 year, $2 million dollar lease. In the meantime, the tribes will have an empty white elephant on their hands. This is unfair, as the tribes built that building only because the BIA needed office space.

The latest documents we have received call for locating the Alaska special office in Anchorage. It seems folly to close the Juneau office since so much of the Bureau's business in Alaska involves relationships with the state government, located in Juneau. We have received no information concerning proposed staffing levels at the Regional Service Centers or the special offices, but we suspect that only a skeletal crew is planned for Anchorage. The prospect of providing substantial service to the Alaska natives from Portland, Oregon is ludicrous. It is understood that nearly all business travel in the state is made by air. Hundreds of dollars will be added to the cost of each trip if staffers originate in Portland. Serving the tribes in Alaska is the equivalent of serving at least four states in the lower 48. Rather than closing Juneau and opening an office in Anchorage, the Bureau should operate offices in both cities.

Closing the Eastern Area Office will more than double the distance from the Bureau's technical personnel for such tribes as the Cherokee in North Carolina and the tribes of New York and Maine. This move from the Washington, D.C. metropolitan area to Minneapolis and Oklahoma City is the largest move that is proposed. Some employees from the Eastern Area Office will compete for those few jobs that will be available with employees from Anadarko and Muskogee. Unemployment in the Washington area has been climbing recently and these employees will be extremely vulnerable even if they are willing to make so large a move.

As if simply moving the main site of technical assistance twice as far from the tribes was not bad enough, you propose to concentrate technical expertise in several fields in only one office. All the Bureau's experts in forestry and fisheries would be located in Portland. The realty and range management staffs would be in Rapid City. Specialists in water rights, administration and facilities would be in Albuquerque. Irrigation experts would be in Phoenix and minerals technicians would be in Denver, a site where there is not even a BIA office proposed. We are at a total loss to see how this will provide more effective, more efficient, and less expensive services to the Indian people. The Bureau's technical experts will be up to 1,000 miles from the extensive coal, oil and gas operations in California, Montana and Oklahoma. The tribes east of the Mississippi will be up to twice that distance from the forestry or realty staff. The amount of extra travel that will be necessary boggles the mind. It is furthermore unclear to whom these technical experts will be responsible. Because their jurisdiction will be nationwide, it does not seem proper that they report to any one Regional Director. (There will not even be a Regional Director in Denver.) If they are considered part of the Central Office Staff, they will be separated from their supervisors. This will be administratively inconvenient. In sum, placing all the expertise in a given field in one office will be counterproductive.

We are at an absolute loss as to why the Bureau believes that the Regional Education Offices should have larger jurisdictions than the Regional Service Centers. Virtually, every BIA agency has an education program. Going from 12 to 4 education offices will greatly expand the geographic jurdisdiction of each office. This means that workloads will increase and the education specialists in the Regional Offices will be further removed from the schools. Again, travel costs will increase and the close contact that is necessary will diminish or disappear. As we mentioned earlier, it is ludicrous to propose serving the Alaska schools from Portland. We remind the Bureau that neither closure of Mt. Edgecumbe Boarding School nor the transfer of the Alaska day schools has been accomplished yet. The BIA is banking on Congressional acceptance of this proposal. Losing that bet will be extremely costly.

At our briefing meeting in February, the hope was expressed by some representatives of the Bureau that current employees would not leave the BIA as a result of this reorganization. We look at this proposal more realistically. We forsee up to 1000 experienced employees leaving the Bureau, resulting in many locations in a chaotic situation. In the first place, Mr. FRitz said that the Bureau has lost some 500 position in its ceiling for Fiscal Year 1983. We have no information on the number of currently vacant positions, but we do not believe that it approaches 500. So, some employees, even if they were willing to move from a closed office, will have to be separated.

Secondly, most employees have made commitments to their communities. Their children are established in schools. They and their spouses have social activities or outside business enterprises. These ties make it difficult to uproot a family and move up to several hundred miles to follow a job to a new Regional Service Center. Furthermore, even if employees were willing to put their families through such a move, they would find it economically impossible. Many employees own homes on which they are paying mortgages of 7-10%. In today's depressed housing market it is difficult to sell a house and even harder to purchase a home in the new city with a mortgage of 15-20%. We think most employees will decline any offer to move to the new Regional Service Center, instead opting for severance pay or early retirement. This will result in the BIA's having to recruit a new workforce for many locations. The training costs as well as the lengthy period of lowered productivity will be extremely expensive.

In the past, the Department has tried to assure us that employees displaced in a reorganization would be placed within the affected Bureau or elsewhere in the Department. However, in this case most of the displaced employees will be Indians with excepted appointments. They cannot immediately qualify for assignment to competitive positions in other USDI Bureaus or other Government agencies. The BIA must consider this point before it takes actions that will result in large-scale dislocation and displacement.

We have discussed the proposal with our members and Local officials across the country. They are unanimous in their belief that this reorganization will result in higher costs, lower productivity and less service to the Indian people. One employee said, "I wonder if someone took a good look at what this would cost." We wonder, too. Although it has been asserted that the reoganization will save $16 million, we have yet to see any justification for this. We suspect a figure was just chosen at random and now BIA staff is asked to substantiate it. When all the tallies are in, however, we doubt any net savings at all will be realized. In fact, there will probably be a substantial net increase in cost and this money will buy less service than is currently received. In the Fiscal Year 1983 budget justification, we see that BIA has already reallocated $15 million from administrative costs. If this saving is not realized, we anticipate a mad scramble at the end of the year. This could mean RIFs, furloughs and other cutbacks, resulting in chaos throughout the Bureau. Since we do not see this reorganization as being a cost-saver, we fear for what is in store for BIA employees and the Indian people.

At our briefing meeting, Mr. Fritz expressed concern about maintaining high morale in the Bureau. As we told him, morale is already at an all-time low and is sinking fast. Employees fear that favoritism on the part of the new Acting Regional Directors will affect their chances of receiving job offers in the new structure. Those working under already heavy workloads at the agency level are concerned that their responsibilities will increase further, but there will be no commensurate increase in staffing levels. They think that this means that Bureau management mistakenly believes agency employees are currently underworked. The employees are also very concerned that services to the tribes will suffer form this reorganization. These workers are dedicated and believe very much in the value of their work to the Indian people. It hurts to see the Bureau take these actions that will be so detrimental to its mission. They frankly see no improvement in conditions on the horizon.

In conclusion, we strenuously oppose the propsed reorganization of the Bureau of Indian Affairs. We see it as being excessively costly and detrimental to the Bureau's mission of serving the Indian people. We hope these comments will be seriously considered. In addition, as the information we requested in our February 19, 1982 letter to Mr. Fritz becomes available, we ask that you promptly forward it to us. In any reply to this letter, please refer to WIA-CB-07.

Sincerely,

James M. Peirce
President

NATIONAL TRIBAL CHAIRMEN'S ASSOCIATION

Suite 910 • 1010 Vermont Avenue, N. W. • Washington, D. C. 20005 - 4949
202 - 737-7011

RECEIVED [illegible] 1982

April 16, 1982

The Honorable William Cohen
Select Committee on Indian
Affairs
Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Cohen:

The National Tribal Chairmen's Association has been very much concerned about the manner in which major policy changes and decisions are being made in the Bureau of Indian Affairs without proper consultation. Although the BIA reports that consultation is carried out the tribes do not agree.

When this office last protested their unilateral decisions and armed with the McClure/Yates letter we were told that the planned realignment would go ahead as scheduled because "problems were politically worked out."

The effect on tribal governments cannot be erased so easily therefore we request your assistance in having the BIA comply with:

1. Legislation requiring consultation.
2. To develop a reorganization plan in close cooperation with the tribes before implementation, instead of a fait accompli.
3. To develop P.L. 93-638 regulations in consultation and partnership with the tribes before implementation.

Membership approved position papers on the above subjects are attached for your review and, hopefully, action on our behalf. Your interest will be sincerely appreciated.

Yours truly,

Elmer M. Savilla
Executive Director

EMS/dd

Enclosures: 3 position papers

NATIONAL TRIBAL CHAIRMEN'S
ASSOCIATION

Suite 910 • 1010 Vermont Avenue, N. W. • Washington, D. C. 20005 1940
202 - [illegible]

Position Paper
of the

National Tribal Chairmen's Association
and
Federally Recognized Indian Tribes
March 29, 1982

To Protest the BIA Plan for Field Office Realignment, and to Call for Immediate Cessation of Plan Implementation.

On February 18, 1982, the Bureau of Indian Affairs announced a plan for reorganization of the field office operations, i.e.; Area Offices, technical assistance centers, and educational offices.

After the plan was announced Assistant Secretary Smith ordered that the Area Directors and Agency Superintendents meet with tribes in their jurisdiction to explain the plan. In short, the tribes were "consulted" after the fact. Those consultation meetings are unsatisfactory to the tribes and the tribes reject the notion that consultation indeed took place. The dictionary defines the word "consult" as:

1. To seek advice, or to ask guidance
2. To consider a persons interest or convenience, and
   Consultation as:
1. A conference for deliberation, discussion, or decision making.

None of the above has taken place. Assistant Secretary Smith has promised to consult, and Secretary Watt told the NTCA Board of Directors that they must hold him accountable for shortcomings. Time and time again the voice of the tribes has been ignored. Now we say ENOUGH! to the Department of the Interior. We do not like what you are doing to the programs and policies which govern our daily tribal lives.

The plan to realign the Area Offices and service centers will not improve the service to the tribes, but will instead cause greater hardship and confusion.

The plan will not really be cost effective but will instead require expenditure of any savings in other cost categories.

The corporate-style decision making is not appropriate for human services people oriented government program.

Tribal views of BIA reorganization as expressed by the Final Report of the American Indian Policy Review Commission were ignored.

Tribes were told that Agency services and personnel would not be diminished, yet already Agency personnel are receiving RIF notices.

A drastic change of this magnitude will require months of cooperative planning and decision-making between the tribes and the BIA.

The federally recognized Indian tribes, as the beneficiary of a solemn Trust Responsibility, must not be placed in the sorry position of having disrespectful and arbitrary decisions forced upon them.

Senator John Melcher, on March 2, has asked that the General Accounting Office perform an analytical study of a) the current realignment plan; b) the Indian Policy Review Commissions Management Study; and c) the Management and Improvement Project of 1978-80, and he has asked Assistant Secretary Smith to hold his realignment plan in abeyance.

On March 11, 1982, Senator James McClure, and Representative Sidney Yates wrote to Secretary Watt, quote, "Committee procedures require that the Department submit a reprogramming request to the Congress for any action which is a "significant departure from the program described in the agency's budget justification." ... "You should also take this requirement into account when considering the use of 1982 funds for such purposes as reorganization of the Bureau's field structure or phasing out operations at various locations." Unquote.

It seems obvious that Assistant Secretary Smith is not complying with proper procedure.

Therefore, it is now the will and demand of the NTCA membership in assembly, that the Bureau of Indian Affairs cease and desist from further implementation of the plan for realignment, until such time that an acceptable plan is approved by tribal consensus. Such plan must be developed in cooperation and in consultation with the tribes and their national representative, the National Tribal Chairmen's Association.

Finally, it is our will that the BIA immediately assemble a Task Force of 6 Tribal Chairmen and 5 federal appointees to draft a reorganization plan for presentation to the tribes and to Congress. The Task Force should be provided with legal assistance of their own choosing paid for by the BIA.

This position paper was presented to, and approved and endorsed by, the assembled Tribal Chairmen at a Special Meeting of the National Tribal Chairmen's Association at Denver, Colorado, on Monday, March 29, 1982.

Signed: Phillip Martin
Phillip Martin
NTCA President

NATIONAL TRIBAL CHAIRMEN'S ASSOCIATION

UNITY STRENGTH JUSTICE

NATIONAL TRIBAL CHAIRMEN'S ASSOCIATION

Suite 910 • 1010 Vermont Avenue, N. W. • Washington, D. C. 20005 4949
202 737-7011

June 15, 1982

The Honorable William Cohen
Senate Select Committee on Indian Affairs
Rm. 1251 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Cohen,

It has come to our attention that a Resolution has been submitted known as S. Res. 407 which calls for denial of reprogramming authority to the Secretary of the Interior, and therefore the stoppage of the presently proposed BIA plan for realignment.

We urge that you support S. Res. 407.

The proposed method of realignment implementation, which is already taking place, is in direct contradition to the years of federal/tribal cooperation and planning which we have enjoyed. The human considerations far outweigh any partisan-politic viewpoints. You should not permit the Secretary of the Interior to return our relationship to that of a bygone frontier era. We will sincerely appreciate your giving this request your highest consideration.

Your truly,

Elmer M. Savilla
Executive Director

THE PAPAGO TRIBE OF ARIZONA
P.O. Box 837 • Telephone (602) 383-2221
Sells, Arizona 85634

May 17, 1982

RECEIVED MAY 2 0 1982

Honorable Sidney Yates, Chairman
Subcommittee on Interior Appropriations
U. S. House of Representatives
2234 Rayburn Building
Washington, D.C. 20515

Honorable Yates:

The Papago Tribe of Arizona does not endorse or support the Bureau of Indian Affairs' realignment plan for fiscal year 1983 or for the Bureau's budget plans for fiscal year 1984.

The Papago Tribe has not been consulted nor has it had any input, in the true sense of the word, to any of the Bureau's plans and changes.

Although we have attended two meetings, one which dealt with the Bureau's realignment plan and one which dealt with the Bureau's budget plans for 1984, the information presented by the Bureau was both insufficient and incomplete for any real analysis to be made by the Tribe.

The Bureau does not address how their plans will:

1) Increase the Effectiveness of BIA services to tribal governments.

2) Strengthen the capability of tribes to be self-governing and self-reliant.

3) Decrease midmanagement level staffing and administrative duplicating in the Phoenix Area Office; and,

4) Reduce the waste of resources by the Phoenix Area Office.

The Bureau of Indian Affairs is implementing major changes which impact on the Indian people. It is critical to us that these plans and changes be fully explored and understood by Indian tribes before implementation. At this time this is not the case.

For your information, we are submitting some of the questions which we would like the Bureau to respond to.

We respectfully request that you use your good office to direct the Bureau to consult with and respond to tribal concerns. Further, we respectfully request that the Bureau plans not be approved until this has been done.

Thank you for your assistance on this matter.

Sincerely,
Enos J. Francisco Jr.
Vice-Chairman
for Max H. Norris, Chairman
Papago Tribe of Arizona

MHN:mjj
Encl.

cc: Senator Dennis Deconcini
Senator Barry Goldwater
Representative John J. Rhodes
Representative Morris K. Udall
Representative Bob Stump
Representative Eldon Rudd
Senator James McClure, Chairman
Senate Subcommittee on Interior Appropriations
William Cohen, Chairman
Senate Select Committee on Indian Affairs

THE PAPAGO TRIBE OF ARIZONA
MAY 14, 1982

Questions and Concerns on the Bureau of Indian Affairs Realignment and Budget Plans

Trust Responsibility

We have been told that this is the Bureau's top priority. We agree with the importance of trust responsibility but what about human resources. Aren't they equally important? In addition we question what the Bureau consider as their trust responsibility.

1) Why was Roads added to Trust Responsibility?

2) How does the Bureau prioritize tribal needs in this area?

3) Will there be a formula for allocating funds on trust responsibility issues of the various tribes?

4) What about the funds held in trust by the Bureau? Is the Bureau going to continue to claim and to spent out these funds even when the funds are derived from tribal sources?

5) Does trust responsibility take priority over all other services to Tribes?

Education

It appears that the Bureau has put education at the bottom of the list as far as funding is concerned. This is done despite the fact that it's a tribal piority for most tribes. We have the following questions:

1) Why are tribes being asked to establish age group priorities? Are our children expendable at certain ages?

2) Why is the Bureau two years behind timelines established by regulation for the publication of school standards?

3) Why did the Bureau scrap the standards which were written by the tribal task force?

4) What is being done to fully implement P.L. 95-561 in order to assure adequate weight factors for each school's operations?

5) Why does the Bureau's Central Office continue to allocate FTE's at the same time that the Bureau is saying they are committed to local control?

Indian Services

1) What plans are being made for efficient delivery of services?

2) Will tribes continue to take the majority of the cuts at the expense of Indian people?

3) What is being done about adequate contract support monies?

Indian Services Con't

4) How can Tribes plan for the future budget projections for operating P.L. 93-638 contracts when they are not kept fully informed about the changes in regulations?

5) Why aren't the changes done in a timely manner in order to avoid delays in contracting?

6) Are funds going to be allocated in sufficient amounts to cover the contract support cost for Indian tribes?

Administration

There seems to be a conspiracy to protect, preserve and, sometimes, enlarge the administrative budget. Tribes are expected to operate contracts year after year with no increases to allow for inflation while Bureau employees continue to receive cost of living increases, promotions, etc.

Realignment

What effect is the realignment, the regionalization of the Bureau's Area Offices, going to have on the Tribes?

1) Does it mean improvement in services?

2) Does it mean additional services?

3) Reduction in services?

The Papago Tribe is very interested in the Bureau's response to our concerns.

PUEBLO OF LAGUNA
P.O. BOX [illegible]
LAGUNA, NEW MEXICO [illegible]

Office of:
The Governor
The Secretary
The Treasurer

(505) 243 7616
(505) 552 6654
(505) 552 6655

June 14, 1982

The Honorable Sidney Yates, Chairman
House Interior Appropriations Subcommittee
B 308 Rayburn House Office Building
Washington, D. C. 20515

Dear Sir:

Please accept this letter as an analysis of the present problem and situation facing Native American Indian Tribes and Alaskan Natives. Keeping in mind the brief time frame given by the Bureau of Indian Affairs for tribal comment and recommendations, I provide the following analysis concerning the Bureau's Reorganization Plan: Procedural steps taken by the Bureau to develop the plan; the substance of the plan; and my recommendations.

Procedural Steps

Although greater tribal participation in Bureau decisions through P.L. 93-638 and P.L. 95-561 is mentioned as one major premise for the reorganization, we are all acutely aware that the underlying reason for the reorganization plan is budget reductions rather than tribal need or recommendations. Because of this, it appears the plan was developed at BIA Washington Headquarters and then passed on to a task force to legitimize the development of the reorganization plan. Next, the plan was unveiled to tribal groups for comment and minor change. As the aforementioned procedures indicate, real tribal involvement is side stepped in favor of pseudo-participation through one or two meetings to obtain comment on a previously developed plan which apparently has already been approved. The pseudo-participation and the tribal benefits which the reorganization would supposedly bring to the tribes accomplishes two things. First, it serves as a method of obtaining tribal support for a plan in which the tribes have had no real involvement. Second, it demonstrates to Congress that the tribes were involved in developmental meetings with task force committees. Thus the Bureau can say that tribes were given an opportunity to participate, did participate, and the reorganization plan is the result of this participation which in turn translates to self-determination.

In sum, it appears the Bureau has orchestrated an arrangement which portrays itself as the conscientious caretaker of Native American interests through Self-Determination.

The Plan

The plan provides a general description of the responsibilities of the Regional Office and its accompanying subdivisions. However, the plan is devoid of specifics in terms of concrete and definitive responsibilities of the Regional Office. As a result, it is impossible to render a judgement about the number and type of staff that will be needed. Also related to staff and office responsibilities is the location of the Regional Office itself. Selection criteria should in part be based on the role of the office, its responsibilities, proximity and populations to be served, and travel considerations. Finally, no information is provided concerning funding for the Regional Center. Will the funding be equally distributed or will it be based on population size or other criteria. Without more precise information on the above areas, it is impossible to envision implementation of the Regional Offices.

Recommendations

1) Check with BIA, Washington, concerning deadlines for the reorganization, latitude for change, and the need for greater detail.

2) A meeting of tribal officials within the proposed region should be held to discuss needs, problems, and preferences for the design and responsibilities of a regional office. Perhaps a regional board of tribal leaders could be established.

3) Staffing should be scrutinized by a regional board thus preventing the filling of regional positions by Washington Headquarters staff which will no doubt be reduced.

With warmest regards,

PUEBLO OF LAGUNA

Harry D. Early

Harry D. Early
Governor

Enclosure - BIA Reorganization Announcement

HDE:ejm

cc: The Honorable Pete Domenici
The Honorable Harrison "Jack" Schmitt
The Honorable Manuel Lujan
The Honorable Joe Skeen
The Honorable Carl Perkins
The Honorable Morris K. Udall

The Honorable James McClure
The Honorable William S. Cohen
The Honorable Ken Smith, Assistant Secretary for Indian
    Affairs
Mr. Sidney Mills, Acting Regional Director
BIA, Southwest Center, Albuquerque, NM
Mr. Roland E. Johnson, Superintendent, Laguna Agency
Mr. Ronald P. Andrade, Executive Director, NCAI
Mr. Elmer M. Savilla, Executive Director , NTCA

DEPARTMENT of the INTERIOR
news release

RECEIVED
JUN 0 1 1982
PUEBLO OF LAGUNA
GOVERNOR'S OFFICE

BUREAU OF INDIAN AFFAIRS

For Release May 28, 1982

Lovett 202/343-7445

INTERIOR ANNOUNCES BIA REORGANIZATION

Assistant Secretary of the Interior for Indian Affairs Ken Smith today announced a reorganization of the BIA's administrative structure that will create a $16 million annual saving and "move the Indian agency a long way toward its goal of making as much of its budget as possible available for funding of programs at the reservation level."

The reorganization consolidates the BIA's 12 area offices into five regional service centers located at Albuquerque, New Mexico; Anadarko, Oklahoma; Aberdeen, South Dakota; Phoenix, Arizona; and Portland, Oregon.

In addition, special program offices at Juneau, Alaska, and Window Rock, Arizona, will serve the state of Alaska and the Navajo Reservation. These special offices will report directly to the BIA central office in Washington, D.C., and not be under the jurisdiction of any regional center.

There will be field offices, reporting to the Aberdeen Center, at Billings, Montana, and Minneapolis, Minnesota.

The plan also reduces BIA's 12 area education offices to five regional centers -- located at the regional service centers -- and two special program education offices, located with the special program offices.

Smith said the reorganization of the Bureau is designed to reduce the cost of administering the Bureau's field programs; to restructure the field offices to provide improved technical service capability; and to improve the efficiency of implementing Bureau programs and services.

(more)

The regional service centers and the areas they will serve are:

Southwest Center, Albuquerque, New Mexico: New Mexico, Colorado and western Utah.

Southern Center, Anadarko, Oklahoma: Oklahoma.

Western Center, Phoenix, Arizona: Arizona, Nevada, southern Utah, and southern and central California.

Northwest Center, Portland, Oregon: Washington, Oregon, Idaho, the northern parts of California, western Montana, and the Metlakatla Reservation in southern Alaska.

North Central Center, Aberdeen, South Dakota: Eastern Montana, Wyoming, North and South Dakota, Nebraska, Minnesota, Wisconsin, Michigan, Iowa and Kansas.

For programmatic purposes, those tribes formerly in the Eastern Area Office will be served from a technical assistance and service office in Washington, D.C., reporting to the Deputy Assistant Secretary for Operations. Eastern area office states include New York, Maine, Florida, Louisiana, North Carolina and Mississippi. For administrative purposes, such as computer services, the tribes in those states will be served by the Southern center.

Smith said the final number and selection of sites for the regional service centers came after he and his immediate staff and regional officials held extensive consultations with the tribes and after the work of task forces in each region had been studied and analyzed.

Smith said consultation with the approximately 500 tribal governments served by the Bureau was conducted by senior executive personnel appointed as provisional regional directors of the proposed offices.

"In addition, the Bureau received about 275 written comments during that period from tribes, inter-tribal councils, members of Congress and interested individuals," he added.

The major changes from the proposed plan revealed in February are: (1) elimination of the proposed Northeast regional service center through consolidation of the area previously served by the Minneapolis area office with the North Central region, and the administrative consolidation of the area previously served by the Eastern area office with the Southern region; (2) location of the North Central regional office in Aberdeen, rather than Rapid City; and (3) location of the Southern regional office in Anadarko, rather than Oklahoma City.

"There are a number of compelling reasons for the actions being taken to realign the Bureau's middle management structure," Smith said.

"Foremost is the impact of Public Law 93-638, the Indian Self-Determination Act, which has encouraged and strengthened tribal government participation in designing and contracting for the delivery of program services to the tribes," he said.

(more)

About 25 percent of the operation of Indian programs was performed under self-determination contracts by FY 1981. Smith said that percentage will continue to increase.

"The enactment of Public Law 95-561, the Indian Education Act, continued the emphasis on Indian involvement by creating school boards and implementing a system of employing teachers through contracts rather than as direct Bureau staff," he added.

In school year 1981-82, almost 2,000 out of a total of 7,400 Bureau educators were employed under this system.

"We expect the number of contract teachers to increase by as much as 1,000 in the 1982-83 school year," Smith said.

A third reason noted by Smith was Public Law 92-203, the Alaska Native Claims Settlement Act, which is limiting the Bureau's responsibility for Alaska programs.

"For example," Smith said, "Certain programs in Alaska such as general assistance and education have been or are projected to be delivered in the future by the State."

The Bureau also anticipates a continued increase in various BIA programs contracted to Native villages and organizations.

Smith said the total numbers of employees to be in each of the locations are still indeterminate. Final decisions will be made on the staffing patterns needed to fulfill the responsibilities the BIA has at each service center as implementation plans go forward. "But we are confident that the reduction in total Federal employees in the area and central offices will be 372 as we originally planned," he added.

"This is my response to the request that I have heard repeatedly from tribal leaders throughout my travels in Indian Country to reduce the overhead costs of operating the Bureau," Smith said. Estimates of the one time costs of carrying out the reorganization are in the neighborhood of $7 million.

In the realignment of the Bureau's education offices, the regional education centers and the Navajo special program office will be headed by an assistant director for education with line authority and responsibility for education activities in the regions. Assistant director positions were formerly located in the central office.

"The plan complies with the mandates of Public Law 95-561 which stresses local community control of Indian schools under professional educators," Smith pointed out.

(more)

He said the Bureau is now preparing detailed organizational changes in accordance with Department procedures and anticipates transfer of authorities from the area office structure to the regional organization structure by October 1, 1982.

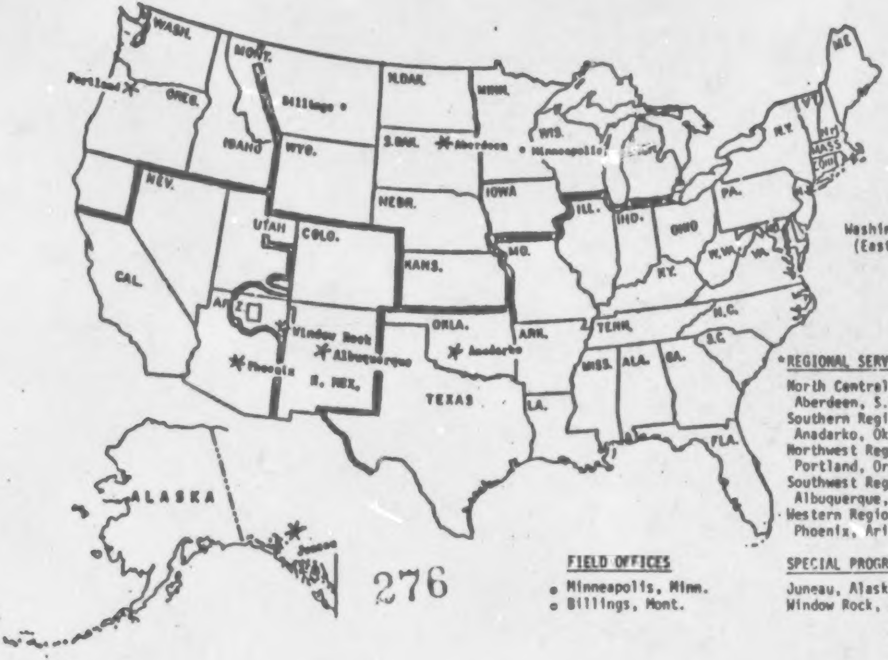
"Final close down of the existing area offices and disposition of files, records, associated office equipment, etc., is expected to be completed prior to October 1, 1983," Smith said.

The regional implementation is phased to overlap the phase out of current area structure so that day-to-day business continues effectively, and service to tribes is not impaired by the realignment process.

Smith said that budget reprogramming authority has been requested from appropriate committees in Congress in order to carry out the reorganization prior to the beginning of FY 1983.

# # #

BUREAU OF INDIAN AFFAIRS REGIONAL BOUNDARIES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*REGIONAL SERVICE CENTER

North Central Region
Aberdeen, S.D.
Southern Region
Anadarko, Okla.
Northwest Region
Portland, Ore.
Southwest Region
Albuquerque, N.M.
Western Region
Phoenix, Ariz.

FIELD OFFICES

● Minneapolis, Minn.
● Billings, Mont.

SPECIAL PROGRAM OFFICES

Juneau, Alaska
Window Rock, Ariz.

JUN 28 1982

The SHOSHONE-BANNOCK TRIBES

FORT HALL INDIAN RESERVATION
PHONE (208) 238-3700
(208) 785-2080

FORT HALL BUSINESS COUNCIL
P. O. BOX 306
FORT HALL, IDAHO 83203

June 23, 1982

Senator William Cohen, Chairman
Select Committee on Indian Affairs
6317 Dirksen
Senate Office Building
Washington, D. C. 20510

Senator Cohen:

The following is our written response for the record concerning the proposed Reorganizational plan effort by the Bureau of Indian Affairs in the Northwest for the Proposed Region Offices.

There are several concerns that our Tribes addresses regarding the proposed regionalization plan.

COST EFFECTIVE:

In the proposed regionalization plan and charts, we note the Portland Area administrative staff recommends three (3) field unit offices for the Northwest. One field office at Everett, Washington, and one field office at Portland, Oregon and one Field Unit Office at Spokane, Washington. This recommended staffing chart for Northwest Region Office is not reasonable. We note that two (2) of the Field Unit office is to be located in the State of Washington and one (1) is to be located in Portland, Oregon. The Portland Field Unit office is unjustified due to the proposed Northwest Region Office to be located in the same city and state. It is clearly noted that there is a duplication of effort and staff without adequate justification. The workload analysis factors was supposed to have been used in determining the locations of these offices. However the workload analysis does not give a true and accurate picture on the actual work and activities which currently exist at Agency operation levels. We, further, note the proposed reorganization is presented with increased administrative costs, in fact, tripled. This is contrary to the initial assistant Secretary's message to Indian Tribes on the Reorganization. The reorganization plan for the Northwest is presented with more Red Tape with increased Administrative levels. Increased operational cost can be expected. There appears to be an increased overload of employees and staff at both the Field Unit offices and the Region Office itself while abolishing all staff positions at Agency levels.

This is not conducive to the decentralization concept that Public Laws dictated which were enacted by Congress. In the final analysis, the reorganization will result in higher cost and less services to the Indian Tribes.

The proposed reorganization plan calls for reduced F.T.E. (full time equivalency) from 51 to 31 positions for the Northwest Region Education Office. With the reduced F.T.E., we note the proposed plan is to establish three (3) key administrative levels within the Region Office without adequate justification when we note there is no staff at Agency level for such support anticipated. The following staff positions proposed are too cumbersome. There are Deputy Assistant Director, Division of Programs Supervisory Education Specialist and Division of Administration Supervisory Education Specialist positions. Each of those positions are proposed at High GS ratings. It does not make sense to create divisions and positions at the Proposed Northwest Region Office when there is no staff planned for Agency operation; much less who these positions will support. We note this to be an overload of staff at Region and Field Unit Offices. This is indicative of protecting current Area Staff from any mobilization to either Field Unit Office or the Agency levels. The new plan with the additional positions in the Region level will further remove direct line authorities from the Tribes to Assistant Director. Culminating with all essential need for immediate decisions from the Assistant Director, the middle level of administration can only be a bottleneck for all important decisions which the Tribes will need.

The reorganizational effort has not taken into consideration the travel limitation and restrictions forever imposed. We do not perceive that the required travel time and money will be available for the Field Unit nor the Region Staff to work with the Tribes to efficiently and effectively discharge the function of on-site monitoring, technical assistance, training and evaluation. This is another reason why our Tribes are against the proposed Field Unit Offices. There is no assurance that the travel restrictions will be lifted.

The proposed reorganization has also increased dramatically in its geographical area and jurisdiction. This means that Fort Hall will be further removed from the Field Unit Office in Spokane, Washington; not to mention even further from the Regional Offices itself.

The proposed creation of the additional offices in the three (3) Field Units will amplify some of the current organizational and functional problems in the Northwest. This presents a negative effect on the total scope in service delivery system for local level. Local control is being arbitrarily removed. For example, the P.L. 93-638 contract proposals will have to be submitted by the Shoshone-Bannock Tribes to Spokane Field Unit Office before reaching the Contract Office in Portland and inversley channeled back to Spokane before reaching our Tribes.

This process not only will be detrimental for service delivery to our Tribes; but will further negate efficient and effective P.L. 93-638 contract administration. The new plan is conceivable to create four (4) levels of administrative review on contractual documents before being finalized. This could mean loss of time, and contractual document itself. This, in our opinion, is not streamlining the current administrative process. We further note that the burden of cost in travel is being shifted to the Tribes in the new plan. If we are expected to travel to Spokane for technical assistance and training. This is unrealistic. We do not, anticipate any immediate response to our need for technical assistance or training from the Spokane Office due to their expanded geographical area to serve by the office. There is no assurance that there will be a workable plan in the Region or Field Unit Office, that equitable services will be provided to Tribes effected. It is not reasonable to transfer functions when direct and actual services have been provided at the Agency level.

The College students at Fort Hall will not be served properly by the Field Unit Office(s). There were approximately 50 or more students who were enrolled in academic studies this past fiscal year. The counselling and human services will again, be further removed. Paperwork services are not effective. How can the college students be better served by a more distant Field Unit Office? Many Tribes in the Northwest have made decisions not to contract the College Student Assistance program. The P.L. 93-638 law gives us that option. Our Tribe has not and does not intend to contract for the program. The rationale being that there are no overhead cost provided and we do not wish to take funds away from the College grants to administer the program. Experience have shown that actual work performed and delivery of services have been performed by Agency staff and little, if any, by current Area staff. Consolidating all Agency offices into Field Unit at different location ignores the work requirement at local level and further provided no credit to the Agency Education Staff.

The new proposed plan removes the program functions to the Field Unit Office and Region Level. The impact of program accountability is weakened. There will be no day-to-day contact with Tribes for needed consultation with respect to programs and Contract operation. The burden is being shifted to Tribes for acquiring the needed technical support and direct services. There are too many unanswered questions and assumptions.

The proposed plan assumes that there are no JOM activities at Fort Hall. The Office of Education at Fort Hall certifies approximately 800 Indian Students for the surrounding Public School districts and other distant school districts requesting such certification. The technical assistance is currently being provided to Parent Committees and School districts. Abolishing staff positions at Fort Hall further negates the local control by Indian Tribes relative to Indian Education.

P.L. 93-638

Reason for actions to realign the Bureau of Indian Affairs Education componant and the timing of the reorganization is also of concern to us. The Indian Self-Determination Act and its implementing regulations is the rationale used in the total reorganizational effort. The proposed plan assumes that all education functions and programs are contracted by the Tribes. It further assumes that all will be contracted. Many Tribes have not and probably does not intend to contract everything. The P.L. 93-638 regulations affords us that choice. College student assistance funds is the good example. It is questionable for Tribes to enter into these contracts and grants at a time when the growing trend is budget cutting in administration and program areas.

The illegal application of P.L. 95-224 to P.L. 93-638 contractual process is also of concern to us. The question remains unanswered as to how the Tribes are to strengthen its government when program funds are continuously depleted year after year. In essence, there is no guarantee that there will be any Bureau positions to provide administration of education programs should the Tribes decide to retrocede its contracted programs. This is very dangerous and precedent setting for eventual termination for Indian Tribes in the Northwest. Currently, the contracting office and staff (non education) in the Portland Area Office reviews and approves P.L. 93-638 education contracts in the Northwest. The proposed realignment intends to separate the responsibilities; thus increase workload for the Agency. It would make more sense to reassign current Area staff to the Agency for delivery of appropriate services. It is unjustified to concentrate and centralize the maintenance of similar staff structure at the Region level. Historically, experience have shown that little or no technical assistance services nor administrative support services have been provided by the Area Staff. The closure of Agency operation is not a improvement. In fact, the Field Unit office will bear the expense of additional operations cost, longer travel time and huge volume of paperwork. This will also place more burden against the Tribes in the Northwest. Continued on-site technical assistance and training is a must in order for Tribes to strengthen their governmental operation.

No other Federal Agencies have been subject to such drastic changes as has the Indian Education in the last few years. The enactment of P.L. 95-561, the Education Amendment of 1978 continued the major changes. As a result of the P.L. 95-561, formula oriented educations funds were funneled to local levels; this phased out other education funding structure. In the process, our Tribes have lost an estimated 50% of our funding in the last three (3) years. These reductions included staff and program funds. Why is it that only the Indian students are subject to the drastic budget cuts in Education?

In the proposed reorganization structure, the workload analysis indicates that the responsibilities will increase by 200% and 30% by school administration. The workload will further increase by 68% in contract/grants administration and 34% in higher education students served. It is conceivable, that such increased responsibilities will necessitate increased travel and related cost for both the Region and Field Unit staff. We further note that the Indian Services Componant of Portland Area in Contract administration is being proposed for decentralization. This means P.L. 93-638 contract approval authorities will be delegated to the Agency level.

MANAGEMENT:

The proposed Region plan assumes that the Tribes in the Northwest have the complete capabililty to function on its own with less technical assistance. Provisions are made in the new proposed plan which indicates availability of such services; but again, far removed from localities.

The impact of these changes hits the local agency the most. The Indian Services Component of the Bureau of Indian Affairs plan in the Northwest is reversed to Education. Their plans are more decentralized to the Agency level than does the Education. We support the decentralization concept for local control and maintenance of staff and services at the local level (Fort Hall).

The Social Services Branch of this agency assist Education in processing the boarding school applications for our students. If the Education Office is abolished; then this means increased workload and decision making by Social Services without the needed professional expertise in educational matters.

Recent action by the Fort Hall Business Council to pass a resolution addressed these issues as it relates to the organizational effort. A summary of the resolution follows:

WHEREAS, the current administration (Bureau of Indian Affairs) is attempting to de-emphasize Indian Education in ways which directly have an impact on century old, trust agreements that call for Federal support of Indian Education and will be yet another threat to Tribal sovereignty by reducing budgets for staff and programs; and

WHEREAS, there are many unanswered questions by BIA officials about reduction in force (R.I.F.), level of funding, method of administration and contract support funds for Tribes and there has been no Tribal Consultation until after the fact; and

WHEREAS, major changes are taking place without input by Tribes and this is a form of termination by drastic cuts in Federal funding and reduction-in-force; now

THEREFORE, BE IT RESOLVED BY THE BUSINESS COUNCIL OF THE SHOSHONE-BANNOCK TRIBES, that the Tribes are opposed to the current realignment efforts taking place at all levels of the BIA, our opposition is based on the following:

1. There will be no cost savings, physical moving of staff is expensive.
2. Training inexperienced staff is costly in time and dollars.
3. Tribes will have greater distances to travel for technical assistance, monitoring of contracts, etc.
4. Separation of trust responsibility functions and suppport services of BIA in education is dangerous and precedent setting.
5. We are a land-based Tribe and we do not believe in separating human services from our land-base and its protection.
6. Loss of the Office of Technical Assistance and Training services cost more than to run the program for two (2) years. (Severence pay for government obligation to civil service is costly. Not everyone is eligible for retirement.)
7. Indian preference is being waived in R.I.F. process.
8. No guarantee that dollar savings gained by the Reorganization will go to tribal services.

BE IT FURTHER RESOLVED, that immediate congressional attention is essential in stopping DM 130 proposed by Secretary Watt concerning the Reorganization and closure of O.T.A.T operation and to monitor all phases of the realignment in the Bureau of Indian Affairs to assure that there is no reduction in services, staff and funds as guaranteed in Treaties and trust agreements that call for Federal support of all Education programs for Tribes.

CONCLUSION:

The overall proposed Reorganization Plan undermines the mandates of P.L. 93-638 and P.L. 95-561 on consultation process with respect to Indian Tribes in the Northwest. The New Regionalization plan has been sent to the Central Office-BIA without the proper and meaningful review or input by the effected Tribes in the Northwest. The reorganizational effort in the Northwest is another exercise of futility by the BIA leadership and Federal Government. Serious consideration has not been afforded the Tribes in the Northwest for an opportunity to make decisions toward controlling their own destiny. Some of the general statistics concerning our Tribe are as follows: Our Tribe is the largest Tribe in Idaho. It has 544,000 trust land acreage. The land base is 96% Indian-owned land. Our Tribes population is 3,275 and the reservation population is approximately 3,820.

Our Tribe will not be equitably served in the proposed regionalization. We will not be equitably served under the new plan due to staff and office removed from the local level. We request that the Fort Hall Office be considered for a Field Unit Office staffed with Agency Superintendent for Education with delegated on-site authorities and responsibilities to deliver the monitoring, evaluation, technical assistance and training to our Tribes. This proposal is in keeping with the current policy of direct services delivered at local control. The present Tribal/Agency jurisdictional relationship is ideal for our Tribes. Decentralization is less costly to Tribes. Monitoring and technical assistance is provided on-site. Additional F.T.E.'s are being requested for local Agency level to meet the needs created by additional workload and reorganization.

Your prompt attention in monitoring and correcting the aforementioned concerns will be appreciated by the Shoshone-Bannock Tribes.

Sincerely,

SHOSHONE-BANNOCK TRIBES

R. Willis Dixey, Chairman
Fort Hall Business Council

RWD/cp

cc: Tribal Education Committee
File

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western union Mailgram

4-0156315046 02/15/82 ICS IPMBNGZ CSP WSHB
6157540109 MGM TDBN MT JULIET TN 134 02-15 1253P EST

SENATOR WILLIAM S COHEN
1251 DIRKSEN SENATE OFC BLDG
WASHINGTON DC 20510

2/16/82

THE ELECTED LEADERSHIP OF THE FEDERALLY RECOGNIZED TRIBE IN YOUR STATE STRONGLY OPPOSE THE THREATENED CLOSURE OF THE EASTERN AREA OFFICE BUREAU OF INDIAN AFFAIRS BECAUSE OF THE FOLLOWING:

- THIS MOVEMENT OF THE EASTERN AREA SERVICES IS IN DIRECT VIOLATION OF THE SELF-DETERMINATION AND CONSULTATION POLICY OF THE ADMINISTRATION.

- IT CANNOT BE PROVEN THAT THE CLOSURE OF THE EASTERN AREA OFFICE IS NOT COST EFFECTIVE AND WILL INCREASE THE BUREAUCRATIC TANGLE THAT THE TRIBES MUST PRESENTLY WADE THROUGH.

PLEASE INDICATE YOUR SUPPORT FOR THE TRUST RESPONSIBILITY ESTABLISHED BY LAW AND TREATY BY MAKING YOUR OPPOSITION TO THIS ACT KNOWN TO SECRETARY WATT. I WOULD ASK THAT SHOULD YOU HAVE ANY QUESTIONS PLEASE CONTACT ME AT USET.

SINCERELY,
KEN EVANS, EXECUTIVE DIRECTOR

12:53 EST

MGMCOMP

Jerry K. Dotson
Route 2, Box 214
Muskogee, Oklahoma 74401

June 9, 1982

Room 1208
Dirkson Senate Office Building
Washington, D.C. 20510

Honorable Senator William S. Cohen:

It is said that a picture says a thousand words and I believe the attached copy from the Muskogee Phoenix, dated Sunday, May 30, 1982, proves it.

I am sure you know the Bureau of Indian Affairs has made an announcement to move the Muskogee Area Office from its location to Anadarko, Oklahoma. This will cause a hardship on the 122,000 Indiansserviced by the Muskogee Area Office who live in Eastern Oklahoma as compared with the 34,000 Indians who live and are serviced by the Anadarko Area Office in Anadarko, Oklahoma.

There is also valuable records relative to local Indian tribes as well as the local community of Muskogee and the surrounding counties.

I understand the consolidation of one of these area offices to one Regional office to service the Southeastern part of the United States is a priority, however Muskogee is more centrally located for this function and building space and equipment 's already in place without any cost to the taxpayers.

Well qualified employees are already employed and no charge would be accessed to the taxpayer for moving expenses.

A major airport is available for less cost in travel expense to the taxpayer.

If the true cause is for saving the taxpayers money then, through all aspects of saving the taxpayers money the Regional Office that covers the Southeastern states should be located where the Muskogee Area Office is currently located, in Muskogee, Oklahoma.

Sincerely,

Jerry K. Dotson

Jerry K. Dotson

Opinion

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Muskogee Phoenix

A Gannett Newspa

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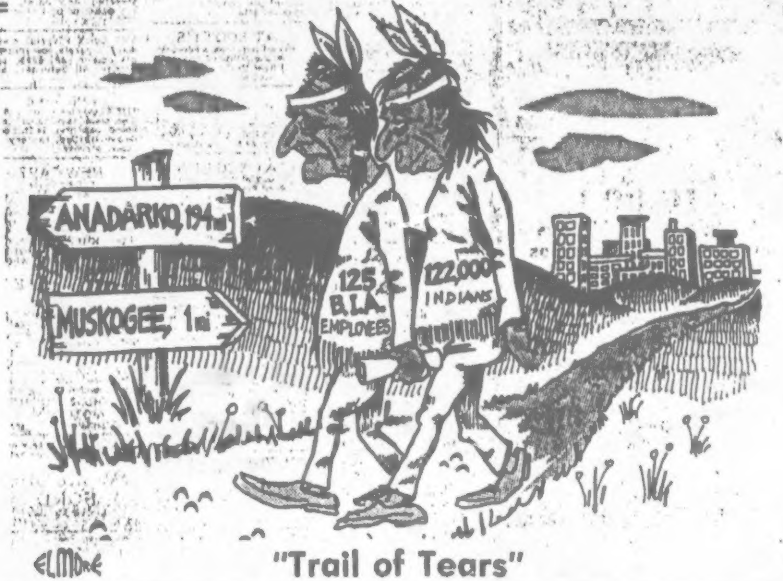

ANADARKO, 194 mi
MUSKOGEE, 1 mi
125 B.I.A. EMPLOYEES
122,000 INDIANS
ELMORE

"Trail of Tears"

Honorable William S. Cohen
United States Senator
Dirksen Senate Office Bldg. Rm. 1251
1st & Constitution Ave. NE
Washington, D. C. 20510

Dear Senator Cohen:

It is with great urgency that I am writing and requesting that you vote against the budget reprogramming for F.Y. 1982 on the proposed Bureau of Indian Affairs consolidation for a number of reasons. It seems better econonic feasibility studies are needed on such a proposed move for all the Area Offices affected. No one has proven to those who will be affected the most--the American Indian--that such a drastic reduction as this is justified. It appears as though the government of the United States is trying to renege on its trust responsibility to those who made their home here first.

It is my understanding that one of the most compelling reasons for such action as the Washington Office is the impact of Public Law 93-638, the Indian Self-Determination Act. It seems that this Act will allow for many tribes to self-determine themselves out of existence.

Turmoil exists in many of the tribes and to drastically reduce the technical assistance by reducing the Area Offices from twelve to five would only create instability and eventual withdrawal of federal recognition of the tribes who have attained this status.

We do not want termination for the American Indian or the government bureau that watches over them. Your no vote against reprogramming of funds is requested.